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THE

MYSORE GAZETTE.

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PART IV.

The 27th January 1893.

The following Draft Regulation which is under the consideration of the Government of His Highness the Maharaja of Mysore is published for general information, together with the statement of Objects and Reasons.

By Order,
T. ANANDA ROW,
for Legislative Secretary.

LEGISLATIVE DEPARTMENT.

DRAFT REGULATION No. OF 189 .

A Regulation to make better provision for the constitution and administration of Municipalities in the Territories of Mysore.

(*Preamble of Madras Act IV of* 1884.)

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the Municipal affairs of the Cities of Bangalore and Mysore and to make provision for the organization and administration of District Municipalities in the Territories of Mysore, His Highness the Maharaja is pleased to enact as follows:—

CHAPTER I.

PRELIMINARY.

(*Section* 1 *of Madras Act IV of* 1884.)

Short title.

1. (1) This Regulation may be called "The Mysore Municipalities Regulation, 189 ."

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(2) It shall extend to the whole of the Territories of Mysore.

Local extent.

(*New.*)

2. It shall come into force at once in every Municipality already established under any law, rule or order heretofore in force in the Territories of Mysore, and in every other Municipality constituted under section 4, from the date of its constitution.

Commencemen.

(*Section* 3 *of Madras Act IV of* 1884.)

3. In this Regulation, unless there is something repugnant in the subject or context :—

Interpretation clause.

(i) "Municipality" means any town, village, hamlet, suburb, bazaar, station or other local area, or any number of the same, which is a Municipality already established under any law, rule or order heretofore in force, or which may be declared to be a Municipality under section 4.

"Municipality."

(*New.*)

(ii) "Government" means the Government of His Highness the Maharaja of Mysore.

"Government."

(iii) "The Municipal Board" means the body of persons constituted under this Regulation for each Municipality.

"The Municipal Board."

(iv) "Inhabitant" means any person who shall have been ordinarily residing in any Municipality for a period of six months or upwards.

"Inhabitant."

(v) "Section" means a section of this Regulation.

"Section."

(vi) "Notice" means a written, printed or lithographed notice.

"Notice."

(vii) "Writing" includes print, and "written" includes printing.

"Writing."

(viii) "Street" means any road, street, square, court, alley or passage, whether a thoroughfare or not, over which the public have a right of way, together with the land (not being private property), whether covered or not by any pavement, verandah or other erection which lies between the roadway and the main wall of any house adjacent thereto, and also the roadway over any public bridge or causeway.

"Street."

(ix) "Public street" means any street, which now is a public street or may hereafter be declared to be a public street in manner hereinafter provided.

"Public street."

(x) "Building" means any house, hut, shed, or roofed enclosure, whether used for the purpose of a human habitation or otherwise, and also any wall.

"Building."

(xi) "Salary" means pay and acting pay, or payment by way of commission, but not allowances for house-rent, carriage hire, or travelling expenses.

"Salary."

(xii) "Official year" means the year beginning on the first day of July or such other date as may hereafter be fixed by Govrenment by notification.

"Official year."

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(xiii) "House" includes any hut, shop or warehouse.

"House."

(xiv) "Land" includes fields, plantations and gardens.

"Land."

(xv) "Schedule" means a schedule to this Regulation. The schedules shall be read as part of this Regulation.

"Schedule."

(xvi) "Owner" includes the person for the time being receiving or entitled to receive the rent or profits of the property, or in charge of the animal or thing, in connection with which the word is used, whether on his own account or as agent or trustee for another person.

"Owner."

(xvii) "Hack-stable" means any place where a horse is ordinarily kept for hire.

"Hack-stable."

(xviii) "Horse" includes pony and mule.

"Horse."

(xix) "Magistrate" means a Magistrate appointed under Regulation I of 1886 introducing "Act X of 1882" into Mysore or any law for the time being in force relating to the Courts of Magistrates.

"Magistrate."

(xx) "Parent" means the father of a legitimate child and the mother of an illegitimate child.

"Parent."

(xxi) "Guardian" means any persen to whom the care, nurture or custody of any child falls by law, or by natural right or recognised usage, or who has accepted or assumed the care, nurture or custody of any child, or to whom the care or custody of any child has been entrusted by any lawful authority.

"Guardian."

(xxii) "Vaccinator" means a public or private vaccinator.

"Vaccinator."

(1) "Public Vaccinator" means any vaccinator employed by Government or by a Municipal or District Fund Board.

"Public Vaccinator."

(2) "Private Vaccinator" means any person licensed by Government to perform the operation of vaccination.

"Private Vaccinator."

(xxiii) "Unprotected child" means a child who has not been protected from shall-pox by having had that disease either naturally or by having been successfully vaccinated, and who has not been certified in the manner hereinafter provided to be insusceptible of vaccination.

"Unprotected child."

(xxiv) "Inoculation" means any operation performed with the object of producing the disease of small-pox by means of variolous matter.

"Inoculation."

(xxv) "Nuisance" means any act, omission or thing causing or likely to cause injury, annoyance, offence, harm, danger, or damage to the sense of sight, smell, or hearing, or which is, or is likely to be, dangerous or injurious to health or property.

"Nuisance."

(xxvi) "Bake-house" means any place used for baking bread, biscuits or confectionery, from the baking or selling of which profit is sought.

"Bake-house."

(xxvii) "Latrine" includes privy.

"Latrine."

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(xxviii) "Market" means any place ordinarily used fish, fruit, vegetables or other food for human consumption, which of this Regulation, a licensed market, or which may hereafter be Municipal Board to be a market.

"Market."

(xxix) "Public market" means any market constructed, tained out of the Municipal Fund.

"Public market."

(*Section* 4 (1) *of Madras Act IV of* 1884.)

4. For the purposes of this Regulation, the Government may, from time to time, declare any town, suburb, bazaar, station or other local number of the same to be a Municipality.

Notification constituting Municipality.

(*Section* 4 (2) *of Madras Act IV of* 1884.)

5. The Government may, at any time, by a notification in the abolish any existing Municipality and cation issued under section 4, and as it thinks fit as to the disposal of the property vested in such Mun

Abolition of Municipality.

(*Section* 6 *of Madras Act IV of* 1884.)

6. On this Regulation coming into force in any Municipality blished under any law, rule or order here the following consequences shall ensue:—

Consequences of establishment of Municipal Board where Municipal members exist.

(1) such law, rule or order shall cease to have any effect in the but not so as to render invalid any thing done in accordance therewi

(2) the Municipal members appointed under such law, rule o deemed to have been appointed under this Regulation, but shall va on the expiry of the term for which they were appointed; or if no fixed, at the end of three years from the date of the appointment;

(3) all property vested in the said Municipal members shall v Municipal Board for the purposes of this Regulation, subject to all existing over, and all debts, liabilities and obligations (if any) affecti perty;

(4) every contract entered into by the said members may be enf against the said members as if this Regulation had not been in force;

(5) the Municipal Board shall be substituted for the said member or other proceedings pending, by or against them, at the time this Reg into force.

CHAPTER II.

1. Municipal Boards and their Constitution.

(*Section* 8 *of Madras Act IV of* 1884.)

7. There shall be constituted for each Municipality a Municipal B authority over such Municipality and co less than nine persons, who shall b Members.

Establishment of a Municipal Board.

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(*New.*)

eputy Commisssioner of the District shall be the President and a Member *ex-officio* of all the Municipalities in the District.

-President.

in charge of the Sub-Division of a District shall be the Vice-Presi-
ber *ex-officio* of all the Municipalities in the Sub-Division.

Assistant Commissioner at the Head-quarters of the District shall
ber and Vice-President of the Municipality which is situated at the
f the District.

r of a Taluk shall be *ex-officio* Member and also Vice-President of all
s situated in his Taluk.

hat the Government may appoint any Member of a Municipal Board
Vice-President, or empower the Municipal Board to elect from any
President or Vice-President or both.

(*Section* 10 *of Madras Act IV of* 1884.)

her Municipal members may be—

Members may
the Government,

wholly appointed by Government, or

so appointed, and partly appointed by election by the tax-payers and inhabitants of the Municipality or of a part thereof subject to such rules and conditions as may from time to time be prescribed by Government.

d partly by the
bitants.

(*Section* 11 *of Madras Act IV of* 1884.)

person holding a salaried office under Government in the District in which any Municipality is situated may be appointed to be a Municipal member of such Municipality.

ials and non-

that the number of such persons appointed by Government to be
bers of any Municipality shall together with the *ex-officio* Municipal
eed one-third of the number of Municipal members for such Munici-

(*Section* 12 *of Madras Act IV of* 1884.)

y Municipality, where the Municipal members are partly appointed by election, the number of the persons so appointed shall be not less than half of the whole number of the Municipal members.

icipal mem-
election.

(*Section* 13 *of Madras Act IV of* 1884.)

this Regulation coming into force in any Municipality, the Government shall, by notification, declare—

clare what the
of Municipal
s.

shall be the maximum number of Municipal members to be appointed
the time being for such Municipality ;

shall be the number or proportion, if any, of Municipal members to be
ted by election in such Municipality or in a part thereof :

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Provided also that the Government may, by notification from time to time, cancel or modify such declaration.

He may cancel or modify such declaration.

(*Section* 15 *of Madras Act IV of* 1884.)

13. When the office of President or Vice-President of a Municipality appointed or elected under the proviso of section 10 becomes vacant by removal, resignation or death, the Deputy Commissioner of the District and the Revenue officer in charge of the Sub-Division of the District or the Amildar of the Taluk wherein the Municipality is situated, shall assume charge of the office of President and Vice-President respectively, and shall discharge the duties of the same until a President or Vice-President is duly appointed, under section 18, in the place of the removed, resigning or deceased President or Vice-President.

The Revenue officer in charge of the Sub-Division to assume charge of the office of President or Vice-President in case of removal, resignation, or death of President or Vice-President.

(*Section* 16 *of Madras Act IV of* 1884.)

14. No President, Vice-President or Municipal member shall receive any salary or other remuneration from the Municipal Fund unless the payment of such salary or other remuneration shall have been sanctioned by the Municipal Board with the approval of Government.

Remuneration of Municipal member.

(*Section* 17 *of Madras Act IV of* 1884.)

15. (1) No Municipal member, excepting a member appointed prior to the coming into operation of this Regulation for a longer term, shall continue in office for more than three years, and after the expiration of that period, he shall cease to be a Municipal member; and any Municipal member appointed to be President or Vice-President shall be deemed to have vacated such office on his ceasing to be a Municipal member or upon the cancellation of the authority under which such President or Vice-President shall have been appointed.

Term of office of Municipal member.

(2) But any Municipal member shall, if otherwise qualified, be eligible for re-appointment or election.

Outgoing Municipal member eligible for re-appointment.

(*Section* 18 *of Madras Act IV of* 1884.)

16. (1) Any person appointed to be President, Vice-President or Municipal member may tender his resignation to Government and on such resignation being accepted or in case of no intimation of acceptance being given within two months from the date of his resignation, he shall be deemed to have vacated his office from the date of acceptance of the resignation or from the date of expiry of the two months aforesaid.

Resignation of Municipal member.

(2) Any person holding a salaried office under Government who is a Municipal member of any Municipality shall, on being transferred from the District or Sub-Division wherein such Municipality is situated, be deemed to have vacated his office of Municipal member.

Government servant who is Municipal member.

(*Section* 19 *of Madras Act IV of* 1884.)

17. (1) The Government may at any time remove any President, Vice-President or Municipal member—

Removal of Municipal member.

(i) if he refuses to act or becomes incapable of acting, or is declared insolvent, or is convicted of any such offence or subjected by a criminal court to any such order, as implies, in the opinion of Government, a defect of character which unfits him to be a President, Vice-President or Municipal member;

(ii) if he, without an excuse sufficient in the opinion of Government, neglects for more than three consecutive months to be present at the meetings of the Municipal Board ;

(iii) if his continuance in office is, in the opinion of Government, dangerous to the public peace or order.

(2) The Government may prescribe a period during which such President, Vice-President or Municipal member so removed shall not be eligible for re-appointment or re-election.

(*Section* 20 *of Madras Act IV of* 1884.)

(*Section* 27 *of Bengal Act III of* 1884.)

Filling of casual vacancy.

18. When the office of President, Vice-President or Municipal member appointed under this Regulation becomes vacant by resignation, removal or death, a new President, Vice-President or Municipal member shall, unless Government otherwise directs, be appointed in the same manner in which his predecessor was appointed ; [and the person so appointed shall fill such vacancy for the unexpired remainder of the term for which such President, Vice-President or Municipal member would otherwise have continued in office].

(*Section* 22 *of Madras Act IV of* 1884.)

Incorporation of Municipal Boards.

19. Every Municipal Board shall be a body corporate by the name of the Municipal Board of its Municipality, shall have perpetual succession and a common seal, with power to hold and acquire property, both movable and immovable, and, subject to the restrictions hereinafter contained, to transfer any property held by it, and to contract and to do all other things necessary for purposes of its constitution, and may sue and be sued in its corporate name.

2. Municipal Property and Municipal Fund.

(*Section* 22 *of Madras Act IV of* 1884.)

Power to vest property in Municipal Board.

20. (1) The Government may, from time to time, by notification, direct that any property, movable or immovable, which is vested in the Government of His Highness the Maharaja and is situated in the territories administered by that Government, shall vest in any Municipal Board ; and thereupon such property shall vest in that Municipal Board for the purposes of this Regulation, subject to all rights (if any) existing over, and all debts, liabilities and obligations (if any) affecting, such property.

(2) The Government may in like manner at any time cancel such notification and pass such orders as to the disposal of such property as it may deem fit.

(*Section* 23 *of Madras Act IV of* 1884.)

Public streets, &c., vested in the Municipal Board.

21. All public streets in any Municipality, and the pavements, stones and other materials thereof, and also all erections, materials, implements and other things provided for such streets, shall vest in, and belong to, the Municipal Board. But it shall be competent to Government from time to time, by notification, to exclude any street from the operation of this Regulation, and to modify or cancel such notification.

(*Section* 24 *of Madras Act IV of* 1884.)

Sewers, drains, &c., vested in the Municipal Board.

22. (1) All sewers, drains, drainage works, tunnels and culverts in, alongside or under the streets, in any Municipality, whether made at the cost of the Municipal Board or otherwise, and all works, materials and things appertaining thereto, shall vest in, and belong to, the Municipal Board.

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(2) All rubbish, sewage, filth and other matters collected under this Regulation shall vest in, and belong to, the Municipal Board.

Rubbish, &c., to belong to Municipal Board.

(3) But it shall be competent to Government to exclude, from time to time, by notification, any sewer, drain, drainage work, tunnel and culvert from the operation of this Regulation, and to modify or cancel such notification.

Government may exclude any sewer, &c.

(*Section* 25 *of Madras Act IV of* 1884.)

23. Any hospital, dispensary, school, choultry, market, tank or well in any Municipality, not being private property, and any medicines, furniture and other articles appertaining thereto, and not being private property, may, by notification of Government, be vested in the Municipal Board; and thereupon all endowments or funds belonging to such hospital, dispensary, school or choultry shall be transferred to, and vest in, the Municipal Board as trustees to hold and apply the same to the purposes to which such endowments and funds were lawfully applicable at the time of such transfer. Provided always that no such totification shall be issued until one month after the intention to transfer such property shall have been notified by Government.

Existing Hospitals, Schools, Choultries, &c., may be vested in the Municipal Board.

(*Section* 26 *of Madras Act IV of* 1884.)

24. (1) Nothing in this Regulation shall be deemed to affect the powers of Government in respect of charitable and religious institutions or endowments not referred to in section 23.

Saving of Government's powers in regard to charitable endowments.

(2) But it shall be competent to Government to make over to the Municipal Board the management and superintendence of any such institutions or endowments.

Power to transfer them to Municipal Board.

(*Section* 27 *of Madras Act IV of* 1884.)

25. All moneys, rents and profits received by the Municipal Board of any Municipality by virtue of this or any other Regulation and all fines, fees and penalties paid or levied under this Regulation, and all other moneys which under sanction of Government may be transfered to such Municipal Board, shall be credited to, and shall constitute a fund which shall be called the Municipal Fund of such Municipality, and shall, together with all property of every nature or kind which may become vested in the said Municipal Board, be under their control, and shall be held by them in trust for the purposes of this Regulation.

What shall constitute the Municipal Fund.

(*Section* 28 *of Madras Act IV of* 1884.)

26. (1) All moneys received by the Municial Board or forming part of the Municipal Fund shall be lodged in the nearest Government Treasury or, with the sanction of Government, in any Bank in or near the Municipality. Provided always that it shall be competent to the Municipal Board, with the sanction of Government, to invest any sums not required for immediate use either in the Government Savings Bank or in Government Securities, or in any other form of security which may be approved of by Government.

Custody of Municipal Fund.

(2) All orders for payment of money from the Municipal Fund shall be signed by the President, or, under his written authority by the Vice-President, and the Treasury or Bank in which such fund may be lodged shall, so far as the funds to the credit of the Municipality admit, pay all orders against the said fund which are so signed.

Mode of drawing on Municipal Fund.

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3.. Mode of transacting Business.

(*Section* 29 *of Madras Act IV of* 1884.)

Municipal Board to keep an office.

27. (1) The Municipal Board shall provide an office and shall meet for the transaction of business at least once in every month, upon such days and at such times as they may arrange, and also at other times as often as a meeting shall be called by the President or Vice-President.

President or Vice-President to convene a Meeting on requisition.

(2) The President or Vice-President shall, at any time on the requisition, in writing, of not less than one-third of the whole number of Municipal members, convene a Meeting of the Municipal Board, provided that no such meeting shall be held unless a notice of the meeting specifying the day and time when, and the purpose for which it is to be held, has been given at least six days previous to the day of such Meeting.

Notice to be given.

(*Section* 30 *of Madras Act IV of* 1884.)

Who to preside at Meetings.

28. (1) At every meeting of the Municipal Board the President or the senior Vice-President present shall preside. In the absence from any Meeting of the President and Vice-President, the Municipal members present at the Meeting shall choose some one of their number to preside thereat.

Decision by Majority. Casting vote.

(2) All questions which may come before the Municipal Board at any Meeting shall be decided by a majority, and in every case of equality of votes, the President of the Meeting shall have a second or casting vote.

Certain officers to attend Meetings.

(3) The Civil Surgeon of the District, the Executive Engineer of the Division and the Inspector of Schools of the Circle, when such officer is not a Municipal member, may, with the previous sanction of the President, attend any meeting of the Municipal Board and address the Board on any matter affecting respectively sanitation, public works and public instruction.

Quorum.

(4) No business shall be transacted at a Meeting unless at least one-third of the whole number of the Municipal members be present.

Modification, &c, of resolutions.

(5) No resolution of the Municipal Board shall be modified or cancelled within three months after the passing thereof except by a resolution of the Municipal Board supported by not less than one-half of the whole number of such Municipal members.

(*New.*)

Language of Board.

29. The discussions and proceedings of a Municipal Board shall be conducted and recorded either in English or in the vernacular of the place, as the Board may, at a special meeting, from time to time, decide: Provided that, if the discussions and proceedings are conducted and recorded in English, the Board shall provide for interpreting and translating them into the vernacular for the benefit of members who do not understand English.

(*Section* 31 *of Madras Act IV of* 1884.)

Minutes of Proceedings to be kept, and to be open for inspection.

30. (1) Minutes of the resolutions of the Municipal Board passed at each Meeting shall be drawn up and entered in a book to be kept for that purpose; and shall be signed by the President, Vice-President or the Municipal member who presided at such meeting; and the said Minutes shall, at all reasonable times and without charge, be open at the Municipal office to the inspection of any person who pays any tax under this Regulation in the Municipality.

(2) Within three days of the date of the Meeting, a copy of the Minutes of the resolutions of such Meeting shall be forwarded by the Municipal Board to the Deputy Commissioner or the Revenue Officer in charge of the Sub-Division of the District wherein the Municipality is situated, for publication, in the official Gazette.

Minutes to be sent to Divisional Officer for publication.

(*Section* 32 *of Madras Act IV of* 1884.)

31. (1) The resolutions of the Municipal Board shall be carried into effect by the President or the Vice-President, in whom the entire executive power of the Municipal Board shall be vested.

The President or Vice-President to carry out the resolutions of the Municipal Board.

(2) The President or Vice-President with the previous consent of the Municipal Board may, on his own responsibility, from time to time, authorize any Municipal member by an order in writing to exercise any of the powers conferred on the President or Vice-President by this Regulation, and may, at any time in like manner, modify or cancel such authority.

The President or Vice-President may authorize any Municipal member to exercise any of the powers.

(3) It shall not be lawful for the President or Vice-President to exercise any power which according to this Regulation shall be exercised by the Municipal Board, at a meeting.

Exception.

(*Section* 33 *of Madras Act IV of* 1884.)

32. (1) If at any time it appears to the Deputy Commissioner of the District that any President or Vice-President of a Municipality appointed or elected has made default in carrying out any resolution of the Municipal Board, he may, by notice in writing, require such President or Vice-President to carry out such resolution within a reasonable time to be specified in such notice and he may, if such President or Vice-President omits to comply with such notice, assume the execution of such resolution and pass all necessary orders accordingly.

Execution of resolution on neglect of President or Vice-President.

(2) Any Deputy Commissioner taking action under this section shall in a memorandum record his reasons for such action and shall forthwith forward such memorandum to the Municipal Board for their information and shall at the same time forward a copy thereof to Government which may pass such orders thereon as it may deem fit.

(*Section* 34 *of Madras Act IV of* 1884.)

33. (1) The Deputy Commissioner of the District wherein any Municipality of which he is not the President is situated, may—

Control by Deputy Commissioner.

(i) enter on and inspect, or cause to be entered on and inspected, any immovable property or any work in progress under the control of any Municipal Board;

(ii) call for and inspect any document in the possession or under the control of any Municipal Board;

(iii) require such Municipal Board to furnish such statements, accounts, reports and copies of documents relating to their proceedings or duties as he may think fit to call for; and

(iv) record in writing, for the consideration of any Municipal Board any observations he may think proper in regard to their proceedings or duties.

(2) The Government may, by Notification from time to time, authorize any public officer to exercise any one or more of the powers of a Deputy Commissioner under this section and may, in like manner at any time, modify or withdraw such authority.

Delegation of powers of Deputy Commissioner to any public officer.

(*Section* 35 *of Madras Act IV of* 1884)

34. (1) The Government or the Deputy Commissioner of the District not being the President of the Municipality concerned may, by order in writing, suspend the execution of any resolution or order of a Municipal Board, or cancel such resolution or order, and may prohibit the doing of any act which is about to be done, or is being done, in pursuance of or under color of this regulation, if, in its or his opinion, such resolution, order or act is in excess of the powers conferred by law, or the execution of the resolution or order, or the doing of such act, is likely to cause obstruction, injury or annoyance to any persons lawfully employed, or danger to human life, health or safety, or is likely to lead to a riot or an affray.

Power to suspend action under Regulation.

(2) When the Deputy Commissioner makes any order under this section, he shall forthwith forward a copy thereof, with a statement of his reasons for making it, to Government, and the Municipal Board. The Government may thereupon rescind the order or direct that it continue in force with or without modification, permanently or for such period as it thinks fit.

Deputy Commissioner shall forward copy of order to Government and Municipal Board.

(*Section* 36 *of Madras Act IV of* 1884.)

35. (1) In cases of emergency the Deputy Commissioner or the Revenue Officer in charge of the Sub-Division of a District in which any Municipality is situated may, when he is not the President or Vice-President of the Municipality concerned, provide for the execution of any work or the doing of any act, which the Municipal Board is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or doing the act shall be paid by the Municipal Board.

Extraordinary powers of the Revenue Officer in charge of a Sub-Division of a District in cases of emergency.

(2) If the expense is not so paid, such Deputy Commissioner or Revenue Officer may make an order directing the person having the custody of the Municipal Fund to pay the same in priority to any other charges against such fund such person shall, so far as the funds to the credit of the Municipality admit, be bound to comply with such order.

Expense to be recovered.

(3) Such officer shall forthwith report to Government through his immediate official superior every case in which he uses the powers conferred upon him by this section.

Report to be made to Government.

(*Section* 37 *of Madras Act IV of* 1884.)

36. (1) If at any time it appears to Government that a Municipal Board has made default in performing any duty imposed on it by or under this or any other Regulation, the Government may, by order in writing, fix a period for the performance of such duty.

Powers of Government in case of default of Municipal Board.

(2) If such duty is not performed within the period so fixed, the Government may appoint some person to perform it, and may direct that the expense of performing it shall be paid, within such time as it may fix, to such person by the Municipal Board.

Government may appoint officer.

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(3) If the expense be not so paid, the Deputy Commissioner of the District, may make an order directing the person having the custody of the Municipal Fund to pay the same in priority to any other charges against such fund. Such person shall, so far as the funds to the credit of the Municipality admit, be bound to comply with such order.

Expense to be recovered.

(*Section* 38 *of Madras Act IV of* 1884.)

37. Every Municipal Board at a Meeting may from time to time, make rules consistent with this Regulation and with any rules framed by Government in regard to the following matters:—

Rules as to conduct of business.

(i) the time and place of their Meetings;
(ii) the manner in which notice thereof shall be given;
(iii) the conduct of proceedings at Meetings;
(iv) the division of duties among the members of the Municipal Board;
(v) the appointment and procedure of Committee consisting wholly of a certain number of Municipal members, or partly of such Municipal members and partly of other inhabitants of the Municipality for the superintendence and management of educational institutions, hospitals, dispensaries, choultries or other institutions maintained by the Municipal Board;
(vi) the persons by whom receipts may be granted for money paid to the Municipal Board; and
(vii) all other similar matters.

(*Section* 63 *of North-West Province Municipalities Act.*)

38. (1) If a Municipal Board is not competent to perform, or persistently makes default in the performance of the duties imposed on it by or under this or any other regulation for the time being in force, or exceeds or abuses its powers, the Government may, by an order published, with the reasons for making it, in the official Gazette, declare that Board to be incompetent, or in default, or to have exceeded or abused its powers, as the case may be, and supersede it for a period to be specified in the order.

Power of Government to supersede Board in case of incompetency, persistent default or excess or abuse of powers.

(2) When a Board is so superseded, the following consequences shall ensue—

(*a*) all members of the Board shall, as from the date of the order, vacate their offices as such members;

(*b*) all powers and duties of the Board may, during the period of supersession, be exercised and performed by the Deputy Commissioner or such other officer or officers as Government, from time to time, appoints in that behalf;

(*c*) all property vested in the Board shall, during the period of supersession, vest in Government.

(3). On the expiration of the period of supersession specified in the order, the Board shall be re-constituted, and the persons who vacated their offices under clause (*a*) shall not be deemed disqualified from being members.

4. Municipal Servants.

(*Section* 39 *of Madras Act IV of* 1883.)

39. The Municipal Board shall at their first Meeting, and may, from time to time thereafter at a Meeting, fix the number and salaries of all such permanent servants, as they may think necessary and proper to assist in carrying out the purposes of this Regulation, and shall submit a statement of their proposals for the sanction of Gov-

The Municipal Board to fix the number and salaries of their permanent servants with the sanction of Government.

ernment in such form as may from time to time be prescribed, and Government shall pass such orders thereon as it may deem fit; provided that in any Municipality, established under any rules or orders heretofore in force, the servants holding office under the Municipality shall be deemed to have been appointed under this Regulation.

(*Section* 40 *of Madras Act IV of* 1884.)

Government servants employed by Municipal Board.

40. (1) The Government may, on the application of any Municipal Board, place the services of any Government servant at their disposal to be employed by them for the purposes of this Regulation. The Municipal Board shall pay any Government servant so employed the salary he may be entitled to receive under the rules of the branch of the Government service to which he belongs, and shall also pay the Government such contribution towards the pension of such servant as may be payable under the rules in that behalf in force for the time being or such portion of the salary or contribution as may be fixed by Government.

Contribution towards pay of such servants.

(2) If any other servant of the Municipal Board does any work for Government, it shall contribute to the Municipal Board so much of the salary of such servant as Government may consider to be an equivalent for such work.

Dismissal of such servants.

(3) No Government servant employed by the Municipal Board under this section shall be dismissed from such employment without the sanction of Government nor shall his services be replaced at the disposal of Government without such sanction unless and until three months' notice in writing to that effect shall have been given to the chief controlling authority of the branch of the Government service to which such servant belongs.

Withdrawal of such servants.

(4) No Government servant employed under the Municipal Board shall, except in cases of emergency, be withdrawn, from the service of the Municipal Board, without their consent, unless and until Government shall have given three months' notice in writing to that effect to the Municipal Board.

(*Section* 41 *of Madras Act IV of* 1884.)

Municipal servants, &c., public servants under Indian Penal Code.

41. Every Municipal servant, every contractor or agent, to whom the collection of any tax, toll, or other sum due to the Municipal Board is entrusted, and every person engaged in the collection of such tax, toll, or sum shall be deemed to be a public servant within the meaning of the Indian Penal Code.

(*Section* 42 *of Madras Act IV of* 1884.)

The President to appoint servants subject to rules prescribed by Government.

42. (1) The President shall, subject to such rules as Government may prescribe, appoint such permanent servants as shall have been provided for in the manner aforesaid, and may also appoint without reference to Government for a period not exceeding six months in a year such temporary servants as may be required for the purposes of this Regulation, and shall pay such permanent and temporary servants from the Municipal Fund the salaries that may be fixed for them in the manner aforesaid or as the emergency may require. But no such temporary servant shall be employed by the President without the sanction of the Board.

The President may fine, suspend, or dismiss servants.

(2) The President may, subject to the provision in Section 40, Sub-section (3), and to such rules as may from time time be prescribed by Government, fine, suspend, or dismiss any of such persons, and appoint others in their stead.

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(*Section* 43 *of Madras Act IV of* 1884.)

43. The Municiapal Board at a Meeting may, from time to time, make rules consistent with this Regulation subject to the approval of Government as to the following matters in respect of their servants :—

Rules as to securities, pensions, &c.

(i) the servants who shall furnish security for the due performance of their duties ;

(ii) the amount of such security ;

(iii) the grant of leave to servants and the allowances to be paid to persons acting for such servants ;

(iv) the period of service of all servants ;

(v) the conditions under which such servants, or any of them, shall, on retirement, receive pensions, gratuities, or compassionate allowances ;

(vi) the amount of such pensions, gratuities or compassionate allowances (if any) ;

(vii) the establishment of a Pension or Provident Fund by such servants ; and

(viii) the rates at which and the conditions under which contributions shall be paid from the Municipal Fund towards such Pension or Provident Fund.

5. Municipal Contracts.

(*Section* 44 *of Madras Act IV of* 1884.)

44. (1) A Municipal Board may delegate to one or more of its members the power of making, on its behalf, any contract whereof the value or amount does not exceed Rs. 50.

Authority to contract.

(*New.*)

(2) In respect of a contract whereof the value or amount does not exceed Rs. 200, the Vice-President shall have the power of entering into such contract.

(3) In respect of a contract whereof the value or amount does not exceed Rs. 500, the President may enter into such contract.

(4) In respect of a contract whereof the value or amount exceeds Rs. 500, the sanction of the Municipal Board for the making thereof shall be obtained at a Meeting before the same is made.

Certain contracts to be sanctioned at a Meeting.

(*Section* 45 *of Madras Act IV of* 1884.)

45. (1) Every contract made by or on behalf of a Municipal Board, whereof the value or amount exceeds Rs. 50, shall be in writing, and shall be signed by the President or Vice-President.

Mode of executing contracts.

(2) A contract executed or made otherwise than in confirmity with the provisions of this and the last preceding section shall not be binding on the Municipal Board.

Contract made otherwise not binding.

(*Section* 46 *of Madras Act IV of* 1884.)

46. No Municipal Member shall be personally liable in respect of any contract made, or for expense incurred, by or on behalf of the Municipal Board ; but the funds from time to time in the hands of the Municipal Board shall be liable for, and chargeable with, all contracts and expenses duly made and incurred as aforesaid.

No Municipal Member to be personally liable for contracts.

CHAPTER III.

TAXES AND TOLLS, AND MODE OF REALIZING THEM.

(Section 47 of Madras Act IV of 1884.)

Levy of taxes and tolls.

47. The taxes and tolls to be levied, for the purposes of this Regulation, shall be as follows:—

(i). A yearly tax on arts, professions, trades and callings, and on offices and appointments, at the rates specified in Schedule A;

(ii) A yearly tax on lands and buildings, not exceeding 5 per centum on the annual value of such lands and buildings;

(iii) A yearly water tax on lands and buildings, not exceeding 10 per centum on the annual value of such lands and buildings; provided the tax shall be levied only to enable the Municipal Board to provide for the construction, maintenance, repairs, extension, improvement and other incidental expenses of water works heretofore provided or hereafter to be provided, together with interest on any loan heretofore contracted for the construction of such works or which may hereafter be specially contracted for the said purposes;

(iv) A half-yearly tax on vehicles with springs, palanquins and animals, at rates not exceeding those specified in Schedule B;

(v) A half-yearly tax on carts and other vehicles without springs, at a rate not exceeding Rs. 2 for each half-year in respect of every such vehicle;

(vi) Tolls on vehicles and animals entering the Municipal limits, at rates not exceeding those specified in Schedule C;

(vii) Town duties at rates not exceeding those respectively specified in Schedule D, in respect of the several articles mentioned in the said Schedule;

(New.)

(viii) [Lighting rates not exceeding two per centum upon the annual value of lands and buildings.]

(New.)

Prohibition of the levy of certain taxes where Mohatarfa is levied.

48. It shall not be lawful for a Municipal Board to levy the taxes mentioned in clauses (i) and (ii) of the last preceding section so long as Mohatarfa (including house-tax) which is a Provincial tax is levied in the Municipality, whether such Mohatarfa is assigned to such Municipality or not. Nor shall the tolls specified in clause (vi) be levied in any Municipality, in which the Town duties specified in clause (vii) are levied.

(New.)

Power to a Board to levy and to dispose of Mohatarfa or other Provincial tax under orders of Government.

49. Whenever Mohatarfa or any other Provincial tax is assigned to a Municipality, it shall be competent for the Board to levy and to recover the whole of the tax under this Regulation and to pay over to Government such portion thereof as Government from time to time directs.

(Section 48 of Madras Act IV of 1884.)

Municipal Board may raise funds from any of above sources.

50. The Municipal Board at a meeting may, from time to time, subject to the above provisions and with the approval of Government, determine to raise the funds required for the purposes of this Regulation from all, or any one or more of the above sources, at a rate or rates not exceeding those specified in Section 47 and may, by a Resolution passed at a Special meeting and confirmed by Government abolish or reduce any tax imposed under this section.

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(*Section* 34 *of Madras Act IV of* 1884.)

51. If at any time it seems advisable to Government that the funds required for the purposes of this Regulation shall be raised in any Municipality from all or any one or more of the above sources, the Government may subject to the provisions of Section 48 direct the Municipal Board of such Municipality to levy such taxes or tolls at any rate or rates, not exceeding the rates authorized by this Regulation, unless the Municipal Board shall show cause to the contrary within a month after the receipt of the order containing such direction. If the Municipal Board fail to show cause within the said time to the satisfaction of Government, the taxes or tolls so directed to be levied shall be levied in such Municipality as if the levy of the same had been determined by the Municipal Board with the approval of Government; provided that it shall be competent to Government, from time to time, to cancel or modify such direction.

Government may direct the levy of taxes,

unless the Municipal Board show cause to the contrary,

and may cancel or modify such direction.

(*Section* 50 *of Madras Act IV of* 1884.)

52. When the levy of any tax or tolls has been determined under Sections 50 and 51, the Municipal Board shall at once issue a notification in the official Gazette and by beat of drum specifying the rate at which the tax or tolls are to be levied and intimating to the inhabitants of the Municipality that such tax or tolls will be levied from a date to be specified in the notification, and such tax or tolls shall be levied in the manner hereinafter provided until such time as the said notification shall be modified or cancelled.

Municipal Board to issue Notification intimating that tax, &c., will be levied.

Tax, &c., to be levied until cancellation of Notification,

(*Section* 51 *of Madras Act IV of* 1884.)

53. The Municipal Board at a meeting may exempt, in whole or in part, from the payment of any tax under this Regulation, any person who has, in their opinion, become unable by reason of poverty to pay the same, and they may in like manner exempt, with the approval of Government, any class of persons.

and may exempt persons unable to pay.

(*Section* 52 *of Madras Act IV of* 1884.

54. (1) The Vice-President shall prepare and keep separate lists of the persons and property liable to the several taxes payable under this Regulation.

Lists of tax-payers to be prepared and kept,

(2) Such lists shall be open at all reasonable times to the inspection of any tax-payer on payment of a fee not exceeding one anna.

and to be open to inspection.

1. Tax on Arts, Professions, Trades and Callings.

(*Section* 53 *of Madras Act IV of* 1884.)

55. If the Municipal Board notify, under Section 52, that a tax on arts, professions, trades and callings, and on offices or appointments shall be levied, every person who within the Municipality exercises, after the date specified in the said notification, any one or more of the arts, professions, trades or callings, or holds any one or more of the offices or appointments specified in Schedule A, shall, subject to the provisions of Section 61, pay in respect thereof the sum specified in the said schedule as payable by persons of the class in which such person is placed.

Payment of profession tax.

(*Section* 54 *of Madras Act IV of* 1884.)

56. The President or Vice-President shall decide in which of the said classes such person ought to be placed, and may from time to time revise such classification.

President or Vice-President to decide class and revise classification.

(*Section* 55 *of Madras Act IV of* 1884.)

57. The sum payable under Section 55 shall be paid in two equal instalments, one for each half of the year, the instalment payable in respect of each half of the year shall be payable by any person who has, for ninety days reckoned consecutively or from time to time in such half-year, exercised such art, profession, trade or calling, or held any such office or appointment within the Municipality.

Tax to be paid half-yearly.

(*Section* 56 *of Madras Act IV of* 1884.)

58. If in any half-year any person exercises any such art, profession, trade or calling, or holds any such office or appointment for ninety days without paying the sum due in respect of such half-year, the President or Vice-President may serve upon such person a notice to pay such sum within fifteen days from date of such service.

Notice of non-payment.

(*Section* 57 *of Madras Act IV of* 1884.)

59. (1) The President or Vice-President shall give every person making a payment under Section 55, a receipt for the same, signed by the President or Vice-President or by some officer duly authorized by him in that behalf.

President or Vice-President to grant receipt.

(2) Such receipt shall specify—

Receipt to specify date, name, &c.,

(i) the date of the grant thereof,

(ii) the name of the person to whom the receipt is granted,

(iii) the art, profession, trade, calling, office or appointment, in respect of which the payment has been made,

(iv) the period for which it has been made, and

(v) the sum paid in respect thereof.

(*Section* 58 *of Madras Act IV of* 1884.)

60. The members of a firm or partnership, or of an undivided Hindu family shall be jointly and severally responsible to the tax payable under Section 55, by such firm, partnership or family.

Every member of a firm or undivided Hindu family to be separately liable,

(*Section* 59 *of Madras Act IV of* 1884.)

61. A person who carries on more arts, professions, trades or callings, or holds more offices or appointments than one, or comes under more than one of the designations or classes mentioned in Schedule A, shall be chargeable under any one of such designations or classes on his aggregate income from all such sources.

Persons coming under several designations chargeable under one only.

(*Section* 61 *of Madras Act IV of* 1884.)

62. The President or Vice-President may, by notice from time to time, require every owner or occupier of a building or of any land to forward to him within a specified time, a list in writing signed by him, of the names of all persons occuping such building or land and of the respective arts, professions, trades, callings, offices or appointments.

Power of President or Vice-President to call on land-lords or occupiers for list of persons liable to tax on arts, &c.

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(*Section* 62 *of Madras Act IV of* 1884.)

63. The President or Vice-President may in like manner require every employer, or head or secretary of an office, whether public or private, or of a firm or company, to forward to him, within a specified time, a list in writing, signed by such employer, or head or secretary, of the names of all persons employed by him, or in such office, firm or company, together with a statement of the respective salaries or incomes of sush persons; and also to furnish such particulars relative to any Joint Stock Company, of which such employer, head or secretary may be the agent, as may from time to time be required by the President or Vice-President for the purposes of this Regulation.

Power to require employers to furnish similar lists.

2. TAX ON BUILDINGS AND LANDS.

(*Section* 63 *of Madras Act IV of* 1884.)

64. (1) If the Municipal Board notify, under Section 52, that an annual tax shall be levied on buildings and lands in the Municipality, the President or Vice-President shall impose such tax at the rate specified in such Notification on all buildings and lands, excepting public choultries, hospitals, dispensaris, buildings exclusively used for charitable purposes, places set apart for public worship and either actually so used or used for no other purpose, and burial and burning grounds.

Tax on buildings and lands. Exceptions.

(2). In the case of any lands not assessed to Government Revenue and unappropriated to any building, or occupied by native huts, the President or Vice-President may, subject to the approval of the Municipal Board, impose such tax at an annual rate, not exceeding annas 4 for every eighty square yards of such lands, in lieu of the rate specified in the said Notification.

Unappropriated lands.

(3) The President or Vice-President shall exempt from tax under this section any building or land, the annual value whereof is less than Rs. 3, if it be the owner's sole property liable to tax under this Regulation.

Property of less value than Rs. 3 a year to be exempted.

(*Section* 64 *of Madras Act IV of* 1884.)

65. (1) The tax imposed under Section 64 shall be payable by the owners of the said buildings and lands, respectively, in two equal instalments.

Tax payable in half-yearly instalments.

(2) The instalment for each half-year shall be payable within 30 days after the commencement of such half-year.

Instalment when due.

(*Section* 55 *of Madras Act IV of* 1884.)

66. (1) The gross annual rent at which a building or land might reasonably be expected to let from month to month or from year to year shall, for the purposes of assessment under this Regulation, be deemed to be the annual value of such building or land.

Annual value of buildings and lands how to be ascertained.

(2) The value of a building or land so estimated shall not include the value of any furniture or machinery therein or thereon.

Value not to include machinery.

(3) The annual value at which property liable to tax under Section 64 is to be assessed, or the amount to be paid in respect of property liable under Sub-section (2) of the same section shall be fixed by the President or Vice-President.

Annual value or amount of tax to be fixed by President or Vice-President.

(*Section* 66 *of Madras Act IV of* 1884.)

67. (1) Such annual assessment shall be entered in a book or books to be kept at the Municipal Office.

Annual assessment to be entered in a book.

(2) Such books shall show in distinct columns—

Particulars to be shown in book.

(i) the name of the owner of the property ;

(ii) the name of the occupier ;

(iii) the designation of the property sufficient to identify it ;

(iv) the name of the division and street, if any, in which it is situated; number of the house, if any ; and

(v) the amount of the tax assessed thereon.

(*Section* 67 *of Madras Act IV of* 1884.)

68. The annual assessment of property as set forth in the books existing at the date of the coming into operation or this Regulation in any Municipality, shall be taken to have been made under this Regulation, until the Municipal Board have caused a new assessment to be made.

Present assessment to be taken as made under this Regulation.

(*Section* 68 *of Madras Act IV of* 1884.)

69. When the name of the owner or occupier is not known, it shall be sufficient to designate him in the said books, and in any notice or other proceeding under this Regulation as the "owner" or the "occupier" of the property on which the tax is assessed, without further description.

Owner or occupier to be designated as such if name unknown.

(*Section* 69 *of Madras Act IV of* 1884.)

70. (1) When the valuation and measurement and assessment have been completed, the President or Vice-President shall cause public notice to be given, by beat of drum and by publication in the official Gazette, that such valuation and measurement and assessment have been completed, and shall fix in such Notification a day, not being less than 30 days from the publication of such notice, when he will proceed to revise the said valuation and measurement and assessment ; and in all cases in which any property is for the first time assessed, or in which the assessment of any property is increased, he shall give special notice thereof to the owner or occupier of such property.

Public notice as assessment to be given.

Notice of time of revision of assessment.

(2) Such special notice shall, in the case of an increased assessment, state the grounds of the increase.

If assessment increased; notice to state grounds.

(*Section* 70 *of Madras Act IV of* 1884.)

71. The person in whose custody the assessment books are, shall permit at all reasonable times—

Persons to be allowed to inspect assessment books.

(i) every person being the owner or occupier of property included therein, or the agent of such owner or occupier, without payment of any fee ; and

(ii) every person, not being such owner or occupier, or the agent of such owner or occupier, on payment of a fee of 8 annas on each visit ;

to inspect the books and to make extracts therefrom.

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(*Section* 71 *of Madras Act IV of* 1884.)

72. (1) The President or Vice-President may, at any time, amend the said books—

Amendment of assessment books.

(i) by inserting therein the name of any person or any property liable to tax;

(ii) by striking out the name of any person or property not liable to the tax; or

(iii) by increasing or reducing the amount of the tax.

(2) But no person's name or property shall be inserted nor shall any increase of assessment be made under the provisions of this section, unless notice of such intended insertion or increase has been served on such person, or on the owner or occupier of the property to which the same relates, not less than 30 days previous to a day to be specified in such notice as the day upon which such assessment will be revised by the President or Vice-President.

Notice of intended insertion of name or property.

(*Section* 72 *of Madras Act IV of* 1884.)

73. (1) When any building has been vacant for 60 consecutive days in any half-year, the President or Vice-President shall remit so much, not exceeding one-half of the tax due for that half-year, as is proportionate to the number of days during which such building has been vacant.

Remission on account of vacant buildings.

(2) No person shall be entitled to such remission unless the owner of the house or his agent shall, at or about the time that the house becomes vacant, give notice of such vacancy to the President or Vice-President.

(*Section* 73 *of Madras Act IV of* 1884.)

74. (1) When any building is built, rebuilt or enlarged, the owner shall give notice thereof to the President or Vice-President within fifteen days from the date of completion of such building, rebuilding or enlargement, or from the date of occupation of such building, whichever date happens first.

Notice to be given of buildings newly built or rebuilt,

(2) When any building is demolished, the owner thereof shall give notice to the President or Vice-President of the completion of such demolition; and until such notice is given, such owner shall be liable, at the discretion of the President or Vice-President, to payment of all taxes which would have been leviable had such building not been demolished.

and of demolition.

(*Section* 74 *of Madras Act IV of* 1884.)

75. (1) The Municipal Board shall not be bound to prepare new assessment books every year, but may adopt the valuation, measurement and assessment contained in the books for the last preceding year, with such alterations and amendments as they deem necessary.

New assessment books need not be prepared every year.

(2) But public notice of such valuation, measurement and assessment shall be given annually in the manner prescribed in Section 70 and the provisions of the said section and of Sections 71 and 72 shall be applicable to the said valuation, measurement and assessment, and to the book or books in which they are contained.

But public notice to be given.

WATER-TAX ON BUILDINGS AND LANDS.

(*Section* 197 *of the Bangalore City Regulations.*)

76. The Municipal Board may cause to be laid down in each street, lane, and thoroughfare of the Municipality, or in any division or portion thereof, sufficient mains and pipes for the supply of water in such street, lane, or thoroughfare, and may also erect in every such street

Supply of water.

lane, and thoroughfare, sufficient and convenient stand-pipes for the gratuitous use of the ratepayers. The said stand-pipes shall be so placed that there shall not be a greater interval than one hundred and fifty yards between any such stand-pipes, and such stand-pipes shall as far as possible be kept charged with water.

(*Section* 198 *of the Bangalore City Regulations.*)

Notification of supply being complete.

77. When the Municipal Board shall have carried out a system for the supply of water to the Municipality as aforesaid, or to any division or portion thereof, including such convenient mains and stand-pipes as aforesaid, and such system shall in the judgment of the Municipal Board be complete, the Municipal Board shall, with the sanction of Government, declare, by Notification published in the *official Gazette*, that the supply is complete, within the said Municipality or any such division or portion thereof.

(*Section* 199 *of the Bangalore City Regulations and Section* 75 *of Madras Act IV of* 1884.)

Water-tax on buildings and lands. Tax to be assessed and payable like tax on buildings and lands.

78. After it has been so notified as aforesaid that the water-supply in any Municipality or district or portion thereof has been completed, it shall be lawful for the Municipal Board to notify under Section 52 that an annual water-tax shall be levied on buildings and lands within the said Municipality or district or portion thereof at the rate specified in such notification, the said tax shall be assessed and be payable in the same manner and at the same times, and shall be subject to the same conditions, exceptions and exemptions as the tax on buildings and lands.

Power to exempt any part of a Municipality from water-tax.

(2) The Government may, from time to time, by Notification, exempt any part of a Municipality from the payment of the water-tax or any part thereof and may also in like manner, from time to time, cancel such exemption.

(*Section* 76 *of Madras Act IV of* 1884.)

Water may be cut off on neglect to pay tax, and expense recovered.

79. If any person supplied with water neglects to pay the tax leviable under Section 78 at any time when it is due, the President or Vice-President may, in addition to employing coercive process for the collection of the amount due, stop the water from flowing into the premises in respect of which such tax is payable, by cutting off the pipe to such premises or by such other means as he thinks fit.

4. Tax on Vehicles with Springs, Palanquins, and animals.

(*Section* 77 *of Madras Act IV of* 1884.)

Tax on vehicles and animals payable half-yearly.

80. (1) If the Municipal Board notify, under Section 52, that a half-yearly tax shall be levied on the vehicles and animals kept within the Municipality or let out for hire or used in the Municipality, the President or Vice-President shall impose such tax at the rates specified in such Notification on the vehicles and animals mentioned in the said Notification.

Provided that the President or Vice-President may exempt from taxation under this section, any vehicles used solely for the conveyance of children.

After 30 days.

(2) The amount payable for each half-year shall be payable by any person in whose position or custody or control any such vehicle or animal may be found as soon as it has been for 30 days in such half-year kept or let out for hire or used within the Municipality.

(3) No person by reason of transfer of ownership shall be liable under this section in respect of any vehicle or animal for which a license relating to the half-year in which ownership was transferred has already been given in the manner hereinafter provided in any Municipality.

941 (*Section* 78 *of Madras Act IV of* 1884.)

81. The tax payable under the preceding section shall not be imposed on—

Exemptions.

(i) Gun carriages, ordnance carts or wagons, cavalry horses or any vehicle or animal belonging to the British or Mysore Government or His Highness the Maharaja of Mysore;

(ii) Vehicles and animals belonging to the Municipal Board;

(iii) Animals exempt from Municipal tax under Section 25 of "The Indian Volunteers' Act, 1869;"

(iv) Vehicles and animals belonging to members of the Police Force and servants of the Municipality employed on out-door duties, not exceeding one vehicle and two animals for each such member or servant;

(v) Vehicles and animals kept solely for sale by builders and dealers, or vehicles and animals which have not, during the half-year, been used; and

(vi) Animals used solely for agricultural purposes.

(*Section* 79 *of Madras Act IV of* 1884.)

President or Vice-President may compound with Livery Stable-keepers and others.

82. The President or Vice-President may, subject to the approval of the Municipal Board, compound for any period not exceeding one year with Livery Stable-keepers and other persons keeping vehicles and animals for sale or hire, for a certain sum to be paid in respect of such vehicles and animals in lieu of the taxes specified in Schedule B.

(*Section* 80 *of Madras Act IV of* 1884.)

Blank forms to be sent to persons liable to tax.

83. The President or Vice-President or any officer authorized by him in that behalf shall send to every person supposed to be liable to the payment of the tax payable under Section 80, a printed table in the form contained in Schedule E or to the like effect, to be filled up with such information respecting the vehicles and animals kept by him as the President or Vice-President considers necessary for the assessment of the tax.

(*Section* 81 *of Madras Act IV of* 1884.)

Forms to be filled up and returned.

84. Such form shall be filled up with such information in writing, and signed and dated, and returned within one week of its receipt to the Municipal Office by the person to whom it has been sent.

(*Section* 82 *of Madras Act IV of* 1884.)

President or Vice-President may send bill to person liable to tax.

85. (1) If any person to whom a form has been sent under Section 83 omits within one week of its receipt to fill up, date, sign and return it to the Municipal Office, the President or Vice-President may send to such person a bill for the amount of tax to which such person is believed to be liable under Section 80.

(2) The President or Vice-President may, from time to time, revise such bill.

(*Section* 83 *of Madras Act IV* 1884.)

On payment of tax, President or Vice-President to give license.

86. On receiving the amount of the tax payable in respect of any vehicle or animal, the President or Vice-President or some person duly authorized by him in that behalf, shall give to the person paying the same a license for such vehicle or animal for the period in respect of which the money has been received.

(*Section* 84 *of Madras Act IV of* 1884.) 942

87. (1) Every person who has received such license shall, at all reasonable times during the said period, produce such license when required to do so by the President or Vice-President or any person duly authorized in writing by him to demand its production.

Licensee bound to produce his license.

(2) Every person failing to comply with such requisition shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 5.

Penalty.

5. Tax on Carts and other Vehicles without Springs.

(*Section* 85 *of Madras Act IV of* 1884.)

88. (1) If the Municipal Board notify, under Section 52, that a half-yearly tax shall be levied on carts and other wheeled vehicles without springs kept within the Municipality, or let out for hire or used within the Municipality, the President or Vice-President shall impose such tax at the rate specified in such notification on every such cart or other vehicle.

Tax on cart, &c.

(2) Such carts and other vehicles shall be registered in the Municipal Office with the name and residence of the owner, and shall bear the number of such registration in such manner as the Municipal Board direct.

Registry and numbering of carts, &c.

(3) The registration of carts and other vehicles shall be made and the numbers assigned half-yearly upon such days as the President or Vice-President shall notify.

Registration half-yearly.

(4) This section shall not apply to gun carriages, ordnance carts or wagons, or other such property of the British or Mysore Government or of His Highness the Maharaja; or to conservancy carts or other vehicles belonging to the Municipal Board or to carts used solely for agricultural purposes.

Exception.

(*Section* 86 *of Madras Act IV of* 1884.)

89. (1) Any person owning or becoming possessed, within the limits of the Municipality, of any such cart or vehicle which has not been registered for the then current half-year shall, within thirty days of so owning or becoming possessed, register the same; and the President or Vice-President shall grant a certificate of registration in every such case on payment of the tax for the current half-year.

Persons becoming intermediately possessed, to register.

(2) But no person shall be bound under this section to register any cart or other vehicle which has been owned by him or has been in his possession for less than thirty days in any half-year.

No person bound to register unless he has possession for thirty days.

(*Section* 88 *of Madras Act IV of* 1884.)

90. Whoever omits to affix and to keep affixed to any such cart or other vehicle the registration number prescribed in Section 88 shall be deemed to have failed to register the same.

Effect of omitting to keep number affixed.

943 (*Section* 89 *of Madras Act IV of* 1884.)

91. The President or Vice-President or any person duly authorized by him in that behalf, may at any time seize and detain any cart or vehicle not registered as required by Section 88, provided the same be not employed at the time of seizure in the conveyance of any passengers or goods.

Unregistered cart, &c., liable to seizure.

(*Section* 90 *of Madras Act IV of* 1884.)

92. If the cart or vehicle seized be not claimed within ten days from the date of seizure, such cart or vehicle may be sold by auction by order of the President or Vice-President and the proceeds applied to the payment of any fine imposed under Section 129, the registration tax, and the costs and charges incurred on account of the seizure, detention and sale.

When cart may be sold.

6. Tolls on Vehicles and Animals entering Municipal Limits.

(*Section* 91 *of Madras Act IV of* 1884.)

93. (1) If the Municipal Board notify, under Section 52, that tolls shall be levied upon the vehicles and animals entering the Municipal limits, such tolls shall be levied at the rates mentioned in the Notification.

Tolls on vehicles and animals entering Municipal limits.

(2) The President or Vice-President may, subject to the approval of the Municipal Board, compound for any period not exceeding one year with persons living outside the Municipality for a sum to be paid in lieu of all tolls payable by them under the provisions of this Regulation, and shall issue licenses for the vehicles or animals of such persons.

President or Vice-President may compound with persons living outside Municipal limits.

(3) No tolls shall be paid,

(*a*) for the passage of troops, stores, vehicles or animals or any other property belonging to the British or Mysore Government or to His Highness the Maharaja of Mysore, or

Troops, Government stores, Police, &c., exempt.

(*b*) by Military, Municipal or Police officers on duty, or

(*c*) for the passage of any person or property in their custody, or

(*d*) for the passage of vehicles or animals licensed or registered by the Municipal Board during the period for which they shall have been so licensed or registered.

(*Section* 92 *of Madras Act IV of* 1884.)

94. (1) The Municipal Board shall construct toll-bars and gates and gate-keepers' stations, and may place the collection of such tolls under the management of such toll-collectors as may appear to them proper, or may farm out such tolls on such terms and subject to such conditions as they may deem fit, with liberty to the farmers to exercise all or any of the powers conferred by this Regulation for the levy and collection of such tolls.

Toll-bars and farming of tolls.

(2) The tolls authorized by this section shall be leviable only on vehicles and animals entering Municipal limits through the toll-bars, gates or stations constructed under Sub-section (1).

(3) At every toll-bar, gate, or station, a table of the tolls authorized to be taken shall be put up legibly written or painted in English words and figures and in Kanarese.

Table of tolls to be exhibited.

(*Section* 93 *of Madras Act IV of* 1884.)

95. If any person shall, with any carriage, cart or animal, go off or pass from any road on which a toll-bar, gate, or gate-keeper's station has been constructed under the provisions of Section 94 through or over any land adjoining thereto, such land not being owned or occupied

Penalty for evading tolls.

by such person and not being a public road, with intent to evade the payment of any toll leviable under the provisions hereinbefore contained, such person shall be liable to a fine not exceeding Rs. 25 and shall also pay the amount of the toll and costs of prosecution.

(*Section* 94 *of Madras Act IV of* 1884.)

No more than one payment in twenty-four hours.

96. No more than one payment of toll shall be demanded in any one Municipality in respect of any vehicle or animal in any one period of twenty-four hours counted from sunrise to sunrise, and on such payment being made, a receipt shall be granted by the person appointed to collect the toll in such form as the Municipal Board may, from time to time, prescribe.

(*Section* 95 *of Madras Act IV of* 1884.)

In case of non-payment of toll, vehicle, &c., may be seized.

97. (1) In case of non-payment of any such toll on demand, the person appointed to collect it may seize any vehicle or animal on which it is chargeable, or any of its appurtenances or any part of the load of such vehicle or animal which is of sufficient value to defray the toll, and detain the same.

Notice of intended sale.

(2) After seizure of the property as aforesaid, the President or Vice-President shall forthwith issue a notice that, after the expiration of three days, from the date of seizure, he will sell the property by auction at a place to be specified in such notice.

(*Section* 95 *of Madras Act IV of* 1884.)

Sale may be stopped, if payment tendered.

98. (1) If, at any time before the sale has begun, the person whose property has been seized tenders to the President or Vice-President or other person appointed by him the amount of all expenses incurred and of the toll payable, the President or Vice-President shall forthwith release the property seized.

Sale proceeds to discharge toll and expenses.

(2) If no such tender is made, the property may be sold, and the proceeds of such sale shall be applied in payment of such toll and the expenses incidental to the seizure, detention and sale.

7. Town Duties (Octroi).

(*New.*)

Town duties to be levied as provided for.

99. If the Municipal Board notify, under Section 52, that town duties or octroi shall be levied on any articles imported from any place into the Municipality, such duties shall be levied upon such articles at such rates as may be mentioned in the notification. Provided, however, the Government may, from time to time, make rules for the exemption from the payment of town duties or for the refund of the same on articles imported for the use of Government or for the purposes of manufacture.

(*New.*)

Octroi not leviable on articles in transit under what circumstances.

Charge of storage leviable on them.

100. A town duty shall not be leviable on articles in course of transit through Municipal limits; provided such articles when detained within the Municipality are stored in the enclosures or godowns set apart for the purpose or in carts without breaking bulk. A reasonable charge of storage may be levied for the goods delayed in transit not exceeding one anna per diem per cart or cart-load and three pies for each bundle, box or package; provided the goods are detained for more than twelve hours in the enclosures or godowns set apart for the purpose by the Municipality.

945 (*New.*)

101. The owners of goods liable to town duties may, with the permission of the President or Vice-President, deposit goods in any warehouse appointed for the purpose subject to such rules as may be prescribed by Government in that behalf and no duty shall be levied on such goods until they are removed for consumption.

Deposit of such goods in appointed warehouses.
Duty on them when leviable.

(*New.*)

102. If the goods are placed in a public warehouse, the owner shall pay monthly rent or warehouse duties at such rates as may be fixed by the President or Vice-President under general or special rules framed by Government, and if the rent or warehouse duties demanded be not paid within ten days from the date of the presentation of the bill, the President or Vice-President may, in the discharge of such demand, cause to be sold by public auction after a week's notice, such sufficient portion of the goods as he may select. Out of the proceeds of such sale, the President or Vice-President shall first satisfy the demand for the discharge of which the sale was ordered and shall then pay over the surplus, if any, to the owner of the goods. Any person depositing goods in the bonded warehouse shall have no claim for compensation for any damage that may be caused while the goods are passed into or out of the warehouse or while they remain therein, unless such damage shall have been proved to have been caused by the wilful neglect of the warehouse-keeper or other person charged with the safe custody of the goods.

Payment of monthly rent or warehouse duties.
Steps to be taken in default of such payment.
Compensation not claimable for damage done to such goods.

(*New.*)

103. Any owner of goods warehoused may at any time clear such goods for export and he shall be allowed to do so on payment of all rent or other charges that may be due.

Owner of warehoused goods allowed to export them on payment of charges due.

(*New.*)

104. When any goods capable of being identified and upon which duty has been paid are re-exported, seven-eighths of the duty paid thereon shall be repaid as draw-back, provided that in every such case the goods be identified to the satisfaction of the President or Vice-President and the re-export be made within six months from the date of payment of duty.

Refund of duty on identified and prepaid-for articles re-exported.

(*New.*)

105. The Government may, from time to time, declare what goods shall, for the purposes of the preceding section, be deemed to be capable of being identified.

Declaration of goods capable of indentification.

(*Section* 65 *of Punjab Municipal Act* XX *of* 1891.)

106. Every person bringing or receiving within the octroi limits of any Municipality any article on which octroi is payable shall, when required by an officer authorized by the Board in this behalf, and so far as may be necessary for ascertaining the amount of tax chargeable,—

Power to examine article liable to octroi.

(*a*) permit that officer to inspect, examine, weigh and otherwise deal with the article ; and

(*b*) communicate to that officer any information and exhibit to him any bill, invoice or document of a like nature which he may possess relating to the article.

(*Section* 66 *of Punjab Municipal Act* XX *of* 1891.) 946

Power to search where octroi is leviable.

107. If any person, bringing or receiving a conveyance or package within the octroi limits of a Municipality in which octroi is leviable, shall refuse, on the demand of an officer authorized by the Board in this behalf, to permit the officer to inspect the contents of the conveyance or package for the purpose of ascertaining whether it contains any articles in respect of which octroi is payable, the officer may cause the conveyance or package to be taken without unnecessary delay before any Magistrate or member of the Board, who shall cause the inspection to be made in his presence.

(*Section* 67 *of Punjab Municipal Act* XX *of* 1891.)

Presentation of bill for octroi.

108. Every officer demanding octroi by the authority of the Board shall tender to every person introducing or receiving any article on which the tax is claimed a bill specifying the article taxable, the amount claimed and the rate at which the tax is calculated.

(*Section* 68 *of Punjab Municipal Act* XX *of* 1891.)

Recovery of octroi.

109. (1) In case of non-payment of any octroi on demand, the officer empowered to collect the same may seize any article on which the octroi is chargeable, or any part of it sufficient in value to satisfy the demand.

(2) The Board may cause any property so seized, or so much thereof as may be necessary, to be sold by auction to satisfy the demand, with the expenses occasioned by the seizure, custody and sale thereof, unless the demand and expenses are in the meantime paid, after the lapse of five days from the seizure, and after the issue of a proclamation fixing the time and place of sale :

Provided that, by order of the President or the Vice-President, articles of a perishable nature which could not be kept for five days without serious risk of damage may be sold after the lapse of such shorter time as he may, having regard to the nature of the articles, think proper.

(*Section* 70 *of Punjab Municipal Act* XX *of* 1891.)

Penalty for evasion of payment of octroi.

110. If goods passing the octroi boundary of a Municipality are liable to the payment of octroi, then every person who, with the intention to defraud the Board or its lessee for the collection of octroi, causes or abets the introduction of, or himself introduces, or attempts to introduce, within the said octroi boundary any such goods upon which payment of the octroi due on such introduction has neither been made nor tendered, shall, on conviction before a Magistrate, be punishable with fine which may extend either to ten times the value of such octroi or to fifty rupees, whichever may be greater.

8. Lighting.

Exemption of a Division or part of a Division from the lighting rate and removal of such exemption.

111. If the Municipal Board notify under Section 52 that an annual lighting tax shall be levied on buildings and lands, such tax at the rate specified in such notification shall be assessed and be payable in the same manner and at the same times and shall be subject to the same conditions, exceptions and exemptions as the tax on buildings and lands and it shall be lawful for the Municipal Board with the permission and approval of Government to exempt any Division or part of a Division from the payment of the rate, and also from time to time remove such exemption.

9. Appeals.

947 (*Section* 217 *of the Bombay City Municipal Act.*)

Appeal against tax fixed by President or Vice-President to lie to the Municipal Board.

112. Subject to the provisions hereinafter contained, appeals against any rateable value or tax fixed or charged under this Regulation by the President or Vice-President shall lie to the Municipal Board.

(*Section* 98 *of Madras Act IV of* 1884.)

Form of appeal.

113. The appeal shall be made in writing, and shall set forth concisely and under distinct heads the grounds of objection to the decision or other proceedings appealed against and shall be heard and disposed of by the Municipal Board.

(*Section* 99 *of Madras Act IV of* 1884.)

114. No such appeal shall be heard—

Limitation as to appeal.

(i) unless it be presented at the Municipal Office within thirty days—

(*a*) from the date of the service of the notice under Section 58 in the case of a decision passed under Section 56 ;

(*b*) from the day specified under Section 70 or 72, in the case of proceedings under Section 66 or 72 ; and

(*c*) in the case of any other tax from the date of its demand ;

Tax, &c., should be paid on or before presentation of appeal.

(ii) unless the tax assessed or demanded shall (except when the Municipal Board otherwise direct) have been deposited with the Municipal Board on or before the day on which the appeal is presented.

(*Section* 100 *of Madras Act IV of* 1884.)

If amount decreased, refund to be made.

115. In the event of the amount of any tax being decreased or remitted by the Municipal Board, the President or Vice-President shall grant a refund accordingly.

(*New.*)

Appeal against the decision of the Municipal Board to be heard by a Munsiff or District Judge whose decision is to be final. Limitation as to appeal.

116. Appeals against the decision of the Municipal Board under the provisions contained in the preceding sections shall be heard and determined by the Munsiff of the Sub-Division in which the Municipality is situated; provided where the Municipality is the Head-quarters of a District Judge, the appeal shall be heard by such District Judge. The decisions of the Munsiff or District Judge in such appeals shall be final. But no such appeals shall be heard unless preferred within thirty days from the date of the decision of the Board.

(*New.*)

A case of appeal may be stated and referred for the decision of the Chief Court on receipt of a written application therefor from the Municipal Board and on deposit by the latter of the sum required to cover the costs of such reference.

117. The District Judge or Munsiff may, if he thinks fit in any case in which an appeal lies to him under this Regulation, state a case and refer it for the decision of the Chief Court and he shall do so in every case involving a question of law, if either the Municipal Board or the appellant within one week after the adjudication of the appeal applies in writing to him to do so and deposit such sum as the District Judge or Munsiff thinks necessary to defray the cost of such reference.

10. Collection of Taxes.

(*Section* 102 *of Madras Act IV of* 1884.) 948

Bills to be presented.

118. (1) When any tax is due, the President or Vice-President shall, prior to enforcing the provisions of Section 119, cause to be presented to, or served upon, the person liable to the payment thereof a bill or notice stating the sum due.

Provided that in the case of a tax under Section 55 or 80 the notice or bill given under Section 58 or 85 respectively shall be deemed to be the bill or notice required to be presented or served under this section.

(2) Such bill or notice shall contain—

(i) a statement of the period and a description of the occupation, property or thing for which the tax is charged ;

(ii) a notice of the liability incurred in default of payment ; and

(iii) a notice of the time within which an appeal against such tax may be preferred.

(*Section* 103 *of Madras Act IV of* 1884.)

Further proceedings.

119. If such tax is not paid within fifteen days from the presentation or service of such bill or notice, and if the person from whom the tax is due does not show cause to the satisfaction of the President or Vice-President why the same should not be paid, the President or Vice-President may proceed to recover the amount together with all costs in any of the following ways :—

(i) by distress and sale of the movable property of the defaulter ; or if the defaulter be the occupier of any building or land, in respect of which such tax is due, by distress and sale of any property found in or on such building or land.

(ii) if the amount of such tax cannot be recovered by distress and sale of the movable property of the defaulter, by prosecuting the defaulter before a Magistrate.

Nothing in this section shall preclude the Municipal Board from suing the defaulter for the tax before a Court of competent jurisdiction.

(*Section* 104 *of Madras Act IV of* 1884.)

Form of warrant.

120. The warrant for distress and sale under Section 119 may be in the form contained in Schedule F or to the like effect.

(*Section* 105 *of Madras Act IV of* 1884.)

Inventory and notice of sale.

121. The officer charged with the execution of a warrant of distress under Section 119 shall make an inventory of the property seized under such warrant, and shall, at the same time, give a notice in the form contained in Schedule G or to the like effect to the person in possession thereof at the time of the seizure, informing him that the said property will be sold as therein mentioned.

(*Section* 106 *of Madras Act IV of* 1884.)

Conditions of distraint and sale.

122. Whenever under the provisions of this Chapter any property is distrained, seized or sold in consequence of the non-payment of any tax, toll or fee due, such distraint, seizure and sale shall be effected subject to the conditions, exceptions and exemptions hereinafter provided.

949 (i) The following property shall not be liable to distraint:—

Exceptions.

(a) the necessary wearing apparel of the defaulter, his wife and children,

(b) the tools of artisans, and

(c) where the defaulter is an agriculturist, his implements of husbandry and such cattle as may, in the opinion of the person making the distraint, be necessary to enable the defaulter to earn his livelihood.

(ii) The distress shall not be excessive, that is to say, the property distrained shall be, as nearly as possible, proportionate to the amount due.

Limit.

(*Section* 107 *of Madras Act IV of* 1884.)

123. (1) If the sum due by the defaulter together with all costs incidental to the warrant, distress and detention of the property is not paid within the time mentioned in the notice, and if the warrant is not suspended by the President or Vice-President, the property seized or a sufficient portion thereof shall be sold by public auction under the orders of the President or Vice-President, who shall apply the proceeds, or such part thereof as may be necessary, in payment of the sum due, together with all expenses incidental to the warrant, distress, detention and sale.

Sale of property seized.

(2) When the property seized is subject to speedy and natural decay, or when the expense of keeping it in custody and the amount of the tax due will exceed its value, the President or Vice-President shall at once, after seizure of such property, give notice to the person, in whose possession it was when seized, to the effect that it will be sold at once, and shall sell it accordingly, unless the amount due be forthwith paid.

Perishable property.

(*Section* 108 *of Madras Act IV of* 1884.)

124. Fees shall be payable upon distraints under this Regulation at such rates not exceeding half anna in the Rupee on the sums distrained for, subject to a maximum of Rs. 10.

Fees on distraints.

(*Section* 109 *of Madras Act IV of* 1884.)

125. The property of a person in default under Section 119 may be distrained wherever the same may be found within the Municipality.

Property of defaulter, wherever found, may be distrained.

(*Section* 110 *of Madras Act IV of* 1884.)

126. If the sum due on account of any tax from the owner of any building or land remains unpaid after notice of demand has been duly served, the President or Vice-President may, provided the arrear has not been due for more than one year, demand the amount from the occupier for the time being of such building or land, and, on non-payment thereof, may recover the same by distress and sale of any property found on the premises.

Tax due from owner may be recovered from occupier.

(*Section* 111 *of Madras Act IV of* 1884.)

127. Any person bound to pay any tax who shall be prosecuted under Section 119 before a Magistrate shall, on conviction, be liable to pay a fine not exceeding twice the amount of the tax found to be due, and shall also pay such tax, the fee for the notice (if any) and the costs of the prosecution.

Proceedings before Magistrate.

Provided that in the case of any tax due under Section 80 where the form provided by Section 83 has not been duly returned to the Municipal Office, the amount mentioned in the notice aforesaid may be found to be the amount of the tax due by the defaulter.

(*Section* 112 *of Madras Act IV of* 1884.) 950

128. All arrears of taxes, or other payments due to the Municipal Board under the rules in force at the time this Regulation comes into operation in any Municipality may be recovered as though they had accrued under this Regulation.

Recovery of arrears of taxes, &c., due at coming into operation of this Regulation.

CHAPTER IV.

Purposes to which the Funds raised under this Regulation shall be applied.

(*Section* 113 *of Madras Act IV of* 1884.)

129. The funds raised under this Regulation shall, subject to such rules and restrictions as Government may, from time to time, prescribe, be applicable for the benefit of the Municipalities in which they are raised to the following purposes, that is to say :—

Purposes to which the funds raised under this Regulation shall be applied.

(i) The construction, repair and maintenance of streets, bridges and other means of communication.

(ii) The construction and repair of hospitals, dispensaries, lunatic asylums, poor houses, choultries, markets, drains, sewers, water-works, tanks and wells, the payment of all charges connected with the objects for which such buildings have been constructed, the training and employment of medical practitioners and vaccinators, the sanitary inspection of towns and villages, the registration of births and deaths, the lighting of the streets, the cleansing of the streets, tanks and wells and other works of a similar nature.

(iii) The diffusion of education, and, with this view, the construction and repair of school-houses, the establishment and maintenance of schools, either wholly or by means of grants-in-aid, the inspection of schools, and the training of teachers.

(iv) Other measures of public utility calculated to promote the safety, health, comfort, or convenience of the people.

(v) The payment of salaries, leave allowances, pensions, gratuities and compassionate allowances to servants employed by the Municipal Board.

(vi) The payment of all expenses specially provided for by this Regulation but not included under the preceding clauses of this section.

Provided that all taxes and moneys received or recovered in respect of the supply of water or the execution of water-works, shall be applied by the Municipal Board to defraying the expense or making and maintaining the said water-works, to paying the interest of money borrowed for the said water-works, and to paying debts incurred in connection therewith or for some other purpose connected with the supply of water.

Application of taxes and moneys received for the supply of water.

(*Section* 114 *of Madras Act IV of* 1884.)

130. If the expenditure incurred for any of the purposes described in Section 129 by any Municipal Board in any Municipality or by any authority constituted under the Mysore Local Funds Regulation, is calculated to benefit the inhabitants of any other Municipality, the Municipal Board of the latter Municipality may, with the sanction of Government, contribute a reasonable sum towards such

Contribution to other local authorities.

expenditure; or the Government may direct the said Municipal Board to show cause, within a month after the receipt of the order containing the direction, why such sum shall not be paid. If the Municipal Board fail to show such cause within the said period to the satisfaction of Government, it may direct the said Municipal Board to pay such sum and it shall be paid accordingly.

(*Section* 115 *of Madras Act IV of* 1884.)

Objects not provided for by this Regulation.

131. The Government may, at any time, with the consent of the Municipal Board, transfer to such Municipal Board the management of any institution or the execution of any work not provided for by this Regulation, and it shall thereupon be lawful to such Municipal Board to undertake the management of such institution or the execution of such work: Provided that in every such case the funds necessary for such management or execution shall be placed at the disposal of the Municipal Board by the Government.

(*Section* 116 *of Madras Act IV of* 1884.)

Exemption from this Chapter.

132. The Government may, by a notification, from time to time exempt any Municipality from the operation of any one or more of the following sections contained in this Chapter and may at any time in like manner modify or cancel such exemption.

1. Education.

(*Section* 117 *of Madras Act IV of* 1884.)

The Municipal Board to make provision for the public instruction of children.

133. The Municipal Board shall allot such portion of its funds as may from time to time be fixed by Government for the purpose of imparting primary eduction within the limits of the Municipality wherein such provision shall not otherwise have been made: Provided that the Municipal Board may allot funds for higher education if the funds at their disposal admit of it.

(*Section* 118 *of Madras Act IV of* 1884.)

134. The Municipal Board may provide instruction—

by maintaining Schools,

(i). either by schools maintained wholly from the Municipal Fund, or

or by grants-in-aid,

(ii) by means of grants-in-aid to private schools from the said fund in accordance with such rules as may from time to time be prescribed by Government, or

or bycontributions.

(iii) by contributing towards the cost of Government Schools, or

(iv) by more than one of such means.

(*New.*)

A separate School Fund.
What shall constitute that fund.

135. The Municipal Board shall keep a separate school fund which shall consist of—

(*a*) the annual allotment of the Municipal fund,

(*b*) fees collected in schools maintained from the Municipal school funds,

(*c*) the grant that may be made from Provincial Funds,

(*d*) any grant that may be made from Local Funds,

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(*e*) any subscriptions or endowment funds given by the people to the Municipality for the promotion of education,

(*f*) any unexpended balance of the school funds for previous years.

(*New.*)

Appointment of select committees for the management of Municipal Schools. Delegation of powers to those committees.

136. It shall be competent for the Municipal Board to appoint School Committees for the management of the Municipal Schools and to delegate all or any of the powers vested in them, subject to such restrictions and limitations as the Board may deem fit.

(*Section* 122 *of Madras Act IV of* 1884.)

The Municipal Board shall levy fees in such schools,

and may pay the fee for any child,

but shall not name the school to which the child shall go.

137. The Municipal Board shall levy, in every school maintained by them wholly from the Municipal Fund, fees in accordance with such rates as may from time to time be prescribed by Government: Provided that if the Municipal Board are satisfied that the parent or guardian of any child, resident in the Municipality, is by reason of poverty unable to pay for the primary education of such child, they may pay the whole or part of the fees payable for the primary education of such child, but they shall not compel the parent or guardian of such child to send such child, in consideration of the said relief, to any particular school.

(*Section* 119 *of Madras Act IV of* 1884.)

And may maintain or aid schools where admission is free to a class or classes.

138. The Municipal Board may, with the previous sanction of Government, maintain, either wholly from the Municipal Fund or by grants-in-aid therefrom, primary schools to which admission may be wholly or partly free for any class of the inhabitants which, in the opinion of the Municipal Board, is by reason of poverty unable to pay the fees leviable in schools maintained by the Municipal Board, whether wholly from the Municipal Fund or by grants-in-aid therefrom.

(*Section* 120 *of Madras Act IV of* 1884.)

Government may direct that aid be given to a school intended for a particular class.

139. If at any time it seems advisable to Government that a grant-in-aid should be made to any school maintained solely for the instruction of the children of any particular class of the inhabitants of any Municipality, it may direct the Municipal Board of such Municipality to make such grant to such school out of the school fund referred to in Section 135, and the Municipal Board shall make it accordingly; provided that the Government shall not so direct until the Municipal Board shall have had an opportunity of submitting their views on the subject to Government.

(*Section* 121 *of Madras Act IV of* 1884.)

The standard of public instruction to be provided by the Municipal Board.

140. The instruction to be provided by the Municipal Board shall be of such standards as may from time to time be prescribed by Government.

(*Section* 123 *of Madras Act IV of* 1884.)

The Municipal Board may aid the construction of buildings for other schools,

141. The Municipal Board may, so far as the funds at their disposal may admit, aid, in accordance with such rules as may from time to time be prescribed by Government, the construction or repair of buildings for private schools, so as to enable them to impart instruction in the manner required by such rules as may from time to time be prescribed by Government.

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(*Section* 124 *of Madras Act IV of* 1884.)

142. The Municipal Board may also provide, wholly from the Municipal Fund, or by means of grants-in-aid therefrom,—

and may provide for other educational matters.

(i) for the inspection of schools maintained by them, whether wholly from the Municipal Fund or by grants-in-aid therefrom;

(ii) for the training of teachers for primary schools;

(iii) for the instruction and training of persons for the practice of medicine, or of vaccination, or of any technical or industrial calling; and

(iv) for the maintenance of public libraries, reading rooms, gymnasia, or any other institutions connected with the diffusion of education, which may be approved by the Government.

2. Medical Relief.

(*Section* 125 *of Madras Act IV of* 1884.)

Provision of hospitals and dispensaries.

143. (1) The Municipal Board shall, so far as the funds at their disposal may admit, provide and maintain either from endowments or from the Municipal Fund or by grants-in-aid therefrom, in accordance with such rules as may from time to time be prescribed by Government, a hospital or dispensary where the sick poor of the Municipality shall be entitled to receive medical and surgical advice and treatment free of charge.

Municipal Board not bound to provide, if sufficient provision already made.

(2) But the Municipal Board shall not be bound to provide or maintain any such hospital or dispensary when, in the opinion of Government, sufficient provision has otherwise been made for the treatment, free of charge, of the sick poor of the Municipality.

(*Section* 126 *of Madras Act IV of* 1884.)

Such hospital or dispensary to be supplied with medicines, &c.

144. The Municipal Board shall provide every hospital or dispensary provided or maintained by them with all necessary drugs, instruments, apparatus, furniture, and appliances on a scale approved by Government, and, when in the opinion of the Municipal Board provision for in-patients may be necessary, they shall also provide a sufficient number of cots, bedding, clothing, furniture and diet for such in-patients.

(*Section* 127 *of Madras Act IV of* 1884.)

Persons other than paupers may obtain treatment.

145. (1) Any inhabitant of the Municipality, who is not a fit object of public charity, may, subject to such rules as the Municipal Board, with the approval of Government, may from time to time prescribe, obtain medical or surgical advice and treatment from any hospital or dispensary maintained by the Municipal Board from endowments or from the Municipal Fund; provided that any charges incurred by the Municipal Board in the medical or surgical relief of persons other than the sick poor of the Municipality or those unable to pay a medical attendant shall be reimbursed by such persons.

Employment of Medical Officer.

(2) The Municipal Board shall employ a Medical Officer for any hospital or dispensary, maintained by them from endowments or from the Municipal Fund.

(*Section* 128 *of Madras Act IV of* 1884.)

Treatment of strangers.

146. The Municipal Board may also permit the treatment in the hospitals or dispensaries, maintained by them from endowments or from the Municipal Fund, of any person not resident in the Municipality.

(*New*) 954

147. The Municipal Board may, with the previous sanction of Government, and subject to such rules as may be laid down on that behalf, provide for the establishment of institutions for treatment of patients according to the native methods.

Provision for establishment of institutions for treatment of patients according to native methods.

3. VACCINATION.

(*Section* 129 *of Madras Act IV of* 1884.)

148. Every Municipal Board shall make provision for the gratuitous vaccination of all persons residing within the Municipality—

Provision for vaccination.

(i) by employing an adequate staff of duly qualified vaccinators, and

(ii) by making suitable provision for, and defraying the charges of, maintaining a supply of vaccine lymph, and such public vaccinating stations as may be necessary.

(*Section* 130 *of Madras Act IV of* 1884.)

149. The Government may, by a written license, authorize any medical practitioner or other person to perform the operation of vaccination and may at any time suspend or cancel any such license.

Licensed vaccinator.

(*Section* 131 *of Madras Act IV of* 1884.)

150. No fee or remuneration shall be charged by any public vaccinator for any vaccination performed or certificate given under this Regulation.

No fee to be charged for vaccination by any public vaccinator or for certificates.

(*Section* 132 *of Madras Act IV of* 1884.)

151. (1). The parent or guardian of any child successfully vaccinated may require from the public vaccinator, a certificate to the effect that the child has been successfully vaccinated, and the public vaccinator shall furnish such certificate.

Certificate of vaccination.

(2). If the public vaccinator is of opinion that a child which has been three times unsuccessfully vaccinated is insusceptible of successful vaccination, he shall deliver to the parent or guardian of such child a certificate to that effect.

Certificate when child is insusceptible of vaccination.

COMPULSORY VACCINATION.

(*Section* 133 *of Madras Act IV of* 1884.)

152. (1). The Government may, on the application of the Municpal Board, declare, by notification, that vaccination shall be compulsory in any Municipality from a date to be specified in such notification, and may from time to time, in like manner, cancel or modify such declaration.

Government may declare vaccination compulsory.

(2). On the publication of the said notification, the Municipal Board shall cause to be proclaimed by beat of drum and by Notification in the official Gazette, that vaccination is compulsory in such Municipality.

Municipal Board to proclaim that vaccination is compulsory.

(*Section* 134 *of Madras Act IV of* 1884.)

153. The parent or guardian of any unprotected child who is more than six months old but is under ten years of age, and who has resided within the limits of such Municipality for a period of six months after such proclamation, shall take or cause it to be taken to a vaccinator or shall procure its vaccination by a vaccinator.

Unprotected child to be vaccinated.

(*Section* 135 *of Madras Act IV of* 1884.)

154. (1). The vaccinator shall, if he finds such child in a state unfit for vaccination, deliver to its parent or guardian a certificate to the effect that the child is in a state unfit for vaccination.

Vaccinator to deliver certificate of postponement.

(2). A certificate granted under this section showing the unfitness of a child for vaccination shall remain in force for such period not exceeding three months as shall have been stated therein; and on the termination of that period, the parent or guardian of such child shall take the child, or cause it to be taken, to a vaccinator to be vaccinated or procure its vaccination at his own house by a vaccinator, and shall subsequently cause it to be inspected in the manner hereinafter provided.

Procedure when child is unfit for vaccination.

Provided that, if the child is still found to be in a state unfit for vaccination, the certificate shall be renewed.

Renewal of postponement certificate.

(*Section* 136 *of Madras Act of IV of* 1884.)

155. The vaccinator shall, if he finds the child to be in a state fit for vaccination, vaccinate the child and deliver to its parent or guardian a memorandum stating the date on which the vaccination has been performed and the date on which the child is to be inspected in order to ascertain the result of the operation.

Vaccinator to vaccinate child.

(*Section* 137 *of Madras Act IV of* 1884.)

156. (1) The parent or guardian of every child which has been vaccinated under the last preceding section shall, on the date of inspection stated in the memorandum, take the child, or cause it to be taken, to a vaccinator for inspection, or shall procure its inspection by a vaccinator; and such vaccinator shall then append to the memorandum a certificate stating that the child has been inspected and the result of such inspection.

Inspection after vaccination.

(2) When it is ascertained, at the time of inspection under this section, that the vaccination has been successful, a certificate shall be delivered by the vaccinator to the parent or guardian of such child to that effect; and such child shall thereafter be deemed to be protected.

Procedure when vaccination is successful.

(3) When it is ascertained that the vaccination has been unsuccessful, the parent or guardian shall, if the vaccinator so direct, cause the child to be forthwith again vaccinated, and shall subsequently cause it to be inspected in the manner provided in sub-section (1) of this section.

Procedure when vaccination is unsuccessful.

(4) If the vaccinator is of opinion that a child which has been three times unsuccessfully vaccinated is insusceptible of vaccination, he shall deliver to the parent or guardian of such child a certificate to that effect; and the parent or guardian shall thenceforth not be required to cause the child to be vaccinated.

Certificate of insusceptibility.

(*Section* 138 *of Madras Act IV of* 1884.)

157. (1) The President or Vice-President or some person or persons authorized by him in that behalf shall ascertain whether all the children under the age of ten years within the Municipality have been vaccinated or are unprotected; and if the President or Vice-President or any person authorized by him has reason to believe that the parent or guardian of any unprotected child is bound by the provisions hereinbefore contained to procure the vaccination of such child or pre-

Notice to parent or guardian of unprotected child, &c.

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sent it for inspection and has omitted so to do, he shall go to the house of such parent or guardian and there make inquiry, and shall, if the fact is proved to his satisfaction, forthwith deliver to such parent or guardian, or cause to be affixed to his house, a notice requiring that the child be vaccinated or (as the case may be) that it be presented for inspection at a time and place to be specified in the notice.

If notice is disobeyed, Magistrate to direct obedience.

(2) If such notice is not complied with, the President or Vice-President or such person shall send a report on the matter to the Magistrate, who shall summon the parent or guardian of the child and demand his explanation, and shall, if such explanation is not satisfactory, make an order in writing directing such parent or guardian to comply with the notice before a date specified in the order.

Person disobeying order liable to penalty.

(3) If on such date the order, passed as aforesaid, has not been obeyed, the Magistrate shall summon the parent or guardian before him, and shall, if no just cause or excuse is shown for such disobedience, sentence such parent or guardian to a fine not exceeding Rs. 50; and such parent or guardian shall be liable to a further fine not exceeding Rs. 10 for every day during which the order under this section may not be obeyed by him.

(*Section* 139 *of Madras Act IV of* 1884.)

Provision as to person who does not appear in public.

158. Notwithstanding anything hereinbefore contained, if any unprotected child or the parent or guardian of such child is a female who, according to the customs of the country, does not appear in public, the President or Vice-President or any person authorized by him in that behalf, shall direct a vaccinator to visit the house of such parent or guardian and there to deal with the child in accordance with Sections 153, 154, 155, or 156.

(*Section* 140 *of Madras Act IV of* 1884.)

Penalty for signing a certificate by unlicensed vaccinator.

159. Whoever, after a notification has been issued under Section 152 (1) not being a vaccinator under this Regulation, wilfully signs or makes a certificate purporting to be a certificate granted under this Regulation, shall be liable to a fine not exceeding Rs. 500.

(*Section* 141 *of Madras Act IV of* 1884.)

Penalty for signing a false certificate.

160. Whoever, being a vaccinator, wilfully signs, or makes, or procures the signing or making of a false certificate, or being bound to grant a certificate under this Regulation, refuses or neglects to grant the same, shall be liable to a fine not exceeding Rs. 100.

(*Section* 142 *of Madras Act IV of* 1884.)

Prohibition of inoculation.

161. In every Municipality inoculation is hereby prohibited; and

Inoculated persons not allowed to enter any town or local area subject to this Regulation.

no person who has undergone the operation of inoculation shall enter any Municipality before the lapse of forty days from the date of inoculation without a certificate from a medical practitioner, of such class as Government may from time to time by written order authorize to grant such certificates, stating that such person is no longer likely to produce small-pox by contact or near approach.

Whoever contravenes the provisions of this section shall be liable to simple imprisonment for a term not exceeding three months, or to a fine not exceeding Rs. 200, or to both.

4. Water-supply. 957

(*Section* 143 *of Madras Act IV of* 1884.)

The Municipal Board to provide water-supply.

162. (1) The Municipal Board shall, so far as the funds at their disposal may admit, provide a sufficient supply of water fit for the domestic use of the inhabitants of the Municipality.

Public tanks, &c., to be under the control of the Municipal Board.

(2) All public rivers, streams, channels, water-courses, springs, tanks, reservoirs, cisterns, fountains, wells, stand-pipes, and other water-works existing at the time of the coming into operation of this Regulation or afterwards made, laid or erected, and whether made, laid or erected, at the cost of the Municipal Board or otherwise, and also any adjacent land (not being private property) appertaining to any such works, shall be under the control and direction of the Municipal Board.

Government may limit such control.

(3) The Government may, from time to time by notification, limit or define such control and direction and may exclude from the provisions of this section any source of water-supply and any water-works being the property of Government, and may in like manner cancel or modify such notification.

(*Section* 144 *of Madras Act IV of* 1884.)

Construction of new works.

163. (1) The Municipal Board may at a meeting direct, with the sanction of Government, the construction of such works as they may deem fit for bringing water into the Municipality, and may provide channels, tanks, reservoirs, cisterns, wells, fountains, stand-pipes, and other works as they may deem fit for the use of the inhabitants.

Maintenance of existing works for supply of water.

(2) The Municipal Board may cause existing public channels, tanks, reservoirs, cisterns, wells, fountains, stand-pipes and other works used for the supply of water to be maintained and supplied with water;

Works may be closed and others substituted.

or they may close any such works and substitute other such works, and may cause them to be maintained and supplied with water.

(*Section* 145 *of Madras Act IV of* 1884.)

Powers of the Municipal Board when constructing drains, aqueducts, &c., without the Municipality.

164. Whenever the Government has sanctioned any works without the limits of any Municipality for bringing water into such Municipality, the Municipal Board and their servants may exercise, in the construction, maintenance and repair of such works throughout the line of country in which such works are situated, or through which they are to run, and, with the sanction of Government, over any lake or reservoir from which a supply of water for the use of the Municipality is derived, and over all lands within 1,000 yards of the high-water level of any such lake or reservoir, all the powers which, by this Regulation, they may exercise within the Municipality.

(*Section* 146 *of Madras Act IV of* 1884.)

Powers of Municipal Board in laying down pipes.

165. (1) The Municipal Board, in laying down any pipes for the water-supply of the Municipality, may, if they consider it necessary, carry such pipes through, across, or under any street, or any place laid out or intended for a street, or under any building or through any cellar or vault or into, through, or under any enclosed or other land whatsoever.

Notice to owner of private property and compensation for dealing with it.

(2) The Municipal Board shall, in every case in which they deal with private property under this section, give reasonable notice of their intention so to do to the owner of such property, and shall pay to him reasonable compensation for so dealing with the property.

(*Section* 147 *of Madras Act IV of* 1884.) 958

166. (1) The Municipal Board may, on application by the owner or occupier of any building, arrange wih him for the supply of water free of charge to such building for domestic purposes in such quantities as they deem reasonable.

Municipal Board may arrange for supply of water for domestic purposes,

(2) The Municipal Board may at any time, for sufficient reason, limit the amount of water to be so supplied whenever they consider it necessary.

and may limit the same.

(3) The President or Vice-President may, subject to the approval of the Municipal Board, contract with any person to supply him, on payment, with water for other than domestic purposes in such quantities, on such terms, and subject to such conditions as to the limit of the supply as seem fit to the President or Vice-President.

President or Vice-President may contract to supply water for other than domestic purposes.

(4) The works necessary for supplies referred to in the preceding clauses and all future repairs, extensions and alterations of such works shall in every case be conducted by the Municipal Board, or under their orders, and the expense thereof shall be defrayed by such owner or occupier.

Cost of supply works to be borne by owner or occupier.

(5) A supply of water for domestic purposes shall not include a supply of water for horses or for washing vehicles, where such horses or vehicles are kept for sale or hire, or a supply for any trade, manufacture or business, or for fountains or swimming baths, or for any ornamental or mechanical purpose, or for purposes of irrigation.

What are not domestic purposes.

(*Section* 148 *of Madras Act IV of* 1884.)

167. (1) The President or Vice-President or any person authorized in that behalf by him, may, after due notice, enter upon any building or land and examine the condition of any pipes, works, and fittings, and ascertain if there be any waste or misuse of water supplied thereto by the Municipal Board.

Power to enter premises.

(2) If the President, Vice-President or such other person at any such time is without reasonable cause refused admittance to such building or land for the purpose aforesaid, or is prevented without reasonable cause from making such examination, or if necessary to prevent waste of water pending repair, the President or Vice-President may stop the supply of water to such building or land.

If obstructed, President or, Vice-President may stop water.

(*Section* 149 *of Madras Act IV of* 1884.)

168. The owner or occupier of any building or land, in which water supplied under this Regulation is wasted or misused from negligence or other circumstances under the control of the said owner or occupier, or used in excess of the quantity fixed by the President or Vice-President under Section 166, or used for any purpose other than those agreed on, or in whose building or land the pipes, works and fittings for the supply of water are found to be out of repair to such an extent as to cause waste of water and who, having knowledge thereof, omits to give reasonable notice thereof to the President or Vice-President, shall be liable to a fine not exceeding Rs. 20 for every such neglect, misuse, breach or omission, and shall also pay such costs of the prosecution as shall be awarded.

Penalty for waste or misuse of water.

(*Section* 150 *of Madras Act IV of* 1884.)

169. (1) Whoever trespasses upon land belonging to the Municipal Board along which the water-supply channel is conducted, or the buildings or premises connected with the water-supply, shall be liable to a fine not exceeding Rs. 10

Penalty for trespassing on channel land, &c.

(2) If any such person refuses to leave such land, buildings or permises, on being requested to do so by any servant of the Municipal Boord, or by any one authorized in that behalf by the Municipal Board, such person shall be liable to a further fine not exceeding Rs. 25, and may be removed from such land or buildings or permises by such servant or other person.

Penalty for refusing to leave land, &c., trespassed upon.

(*Section* 151 *of Madras Act IV of* 1884.)

170. Whoever

(i) unlawfully breaks, injures, or causes damage to any public channel, tank, reservoir, cistern, well, fountain, stand-pipe or other work, connected with the water-supply, or without due authority opens or removes any lock, cock, or pipe belonging to or under the management or control of the Municipal Board, or,

Damaging works.

(ii) unlawfully draws off, or takes water from any water-works belonging to the Municipal Board or under their management or control,

Diverting water.

shall, for every such offence, be liable to a fine not exceeding Rs. 20 and a further fine not exceeding Rs. 10 for each day during which the offence is continued after notice in that behalf.

Penalty.

(*a*) *Fouling of Water.*

(*Section* 152 *of Madras Act IV of* 1884.)

171. Whoever, being the ower or occupier of any place where any offensive trade or manufacture is carried on, does any act whereby the water in any stream, tank, reservoir, well, cistern, aqueduct or other work belonging to or under the control of the Municipal Board is fouled, shall be liable to a fine not exceeding Rs. 100, and to a further fine not exceeding Rs. 20 for every day during which the offence is continued after twenty-four hours' notice from the Municipal Board.

Water fouled by offensive trades.

Penalty.

(*Section* 153 *of Madras Act IV of* 1884.)

172. (1) The Municipal Board, or any person duly authorized by them in that behalf, may, after twenty-four hours' notice in writing, lay open and examine any pipe or work belonging to any person mentioned in the preceding section or under his management or control.

Municipal Board may examine pipes.

(2) If, upon such examination, it appears that any such water has been fouled by anything proceeding from or contained in the pipes or works examined, the expenses of such examination shall be paid by the person to whom such pipes or works belong, or under whose management or control they are.

If water fould, expense of examination to fall on owners.

(3) If, upon such examination, it appears that such water has not been so fouled, then such expenses and all damages occasioned to any building, land, pipe or work by the examination shall be paid by the Municipal Board.

If water not fouled, expense to be paid by Municipal Board.

(*Section* 154 *of Madras Act IV of* 1884.)

173. The Municipal Board may set apart—

(i) for drinking purposes such public tanks, springs, wells of other places, or such parts of any public rivers, streams, channels or water courses as they may deem fit, and

Municipal Board may set apart water for drinking,

(ii) for bathing purposes, public tanks, or parts of public rivers, streams, channels, or water-courses, and they may also set apart such tanks or other places for the purpose of washing animals or clothes, or for any other purpose connected with the health, cleanliness, comfort or convenience of the inhabitants.

and for bathing, for washing animals or clothes, &c.,

(*Section* 155 *of Madras Act IV of* 1884.)

174. Whoever—

Penalty for fouling drinking water.

(i) bathes in or in any other manner fouls the water in any part of any river, stream, channel, water-course, pipe, tank, spring, well or other place set apart by the Municipal Board, or, in the case of private property, by the owner thereof, for drinking purposes, or

Washing animals or offensive things, &c.

(ii) washes an animal or clothing in a place set apart for bathing, or washes any cooking utensil, or wool, skins, or other foul or offensive substance in a place set apart for washing clothes or for bathing, or

Throwing in rubbish, &c.

(iii) puts therein any rubbish, filth or other offensive matter, or

Allowing drain water or offensive liquid matter to flow.

(iv) causes or suffers to drain, or to be brought into any such place the water of a sink, sewer, drain, engine or boiler, or other offensive matter belonging to him or flowing from any building or, from any ground belonging to, or occupied by him,

shall be liable to a fine not exceeding Rs. 20 for each offence.

Penalty.

(*b*) *Private Wells.*

(*Section* 156 *of Madras Act IV of* 1884.)

Power to require private well, &c., to be cleansed,

175. (1) The Municipal Board may, by notice, require the owner of, or the person having control over, any private stream, channel, tank, well or other place, the water of which is used for drinking, to keep and maintain the same in good repair and to clean the same, from time to time, of silt, refuse or decaying vegetation, and may also require him to protect any such well from pollution by surface drainage in such manner as they may think fit.

or closed if unfit for drinking.

(2) And whenever the water of any private well, tank or reservoir used for drinking is proved to the satisfaction of the Municipal Board to be unfit for drinking, the Municipal Board may, by notice, require the owner or person having control thereof to desist from so using such water or permitting others so to use it, and if, after such notice, the water of such well, tank or reservoir is used by any person for drinking, the Municipal Board may require the owner or person having control thereof, to close such well, either temporarily or permanently, or to enclose or fence such well, tank or reservoir in such manner as they may direct, so that the water thereof may not be used for drinking.

5. Streets.

(*Section* 157 *of Madras Act IV of* 1884.)

Maintenance and repair of streets.

176. (1) The Municipal Board shall, from time to time, so far as the funds at their disposal may admit, repair the public streets and bridges and maintain them in good order.

Foot-ways.

(2) The Municipal Board may make and maintain foot-ways for the use of passengers in any street, and may place on the sides of such foot-ways such fences and posts as may be needed for the protection of foot-passengers.

(*Section* 158 *of Madras Act IV of* 1884.)

Power to make and improve streets and close them, &c.

177. (1) The Municipal Board may by a resolution passed at a Meeting lay out and make new public streets, and may construct bridges and tunnels, and may turn, divert or close any public street, and may widen, lengthen, enlarge or otherwise improve any such street.

Provided that the Municipal Board shall make reasonable compensation to the owners and occupiers of any land or buildings which are required for or affected by any such purposes.

Power to take land adjoining new streets for building purposes.

(2) In laying out or making a street, or in turning, diverting, widening, lengthening, enlarging or otherwise improving a street, the Municipal Board may, in addition to the land necessary for such street and the foot-ways thereof, purchase also the land necessary for the buildings to form or improve the said street.

(*Section* 159 *of Madras Act IV of* 1884.)

Municipal Board may temporarily close any street, &c.

178. The Municipal Board may, by an order in writing, temporarily close any street for repairs, or to carry out any work connected with drainage, water-supply, or lighting, or any of the purposes of this Regulation; provided that such work shall be completed and such street re-opened for traffic with all reasonable speed.

(*Section* 160 *of Madras Act IV of* 1884.)

Interference with public streets, &c.

179. No person shall take up or make any alterations in the pavement or other material, or in the fences or posts of any public street in the Municipality without the written permission of the Municipal Board or without lawful authority.

NEW STREETS.

(*Section* 161 *of Madras Act IV of* 1884.)

Private persons laying out new streets to give notice.

180. (1) Every person intending to lay out and make a new street shall make an application in writing to the Municipal Board for a license to do so.

Notice to be accompanied by plan.

(2) Such application shall be accompanied by plans and sections showing—

(i) the intended level, direction and width of such street,

(ii) the means of drainage, and

(iii) the height and dimensions of the buildings to be erected on each side.

Subject to approval of the Municipal Board.

(3) If the Municipal Board at a Meeting approve of such level, direction, width, means of drainage, height and dimensions, and if such intended new street appears to them to be expedient, they shall, within one month after the receipt of such application, give a written license to lay out such street; or if they disapprove of such level, direction, width, means of drainage, height or dimensions, or if such intended street appears to them to be inexpedient, they shall issue an order in writing to the applicant, within one month after receipt of such application, refusing to give a license for making such intended new street.

(4) When such license has been given, the applicant may proceed with the making of the intended new street in accordance with the terms of the license.

(*Section* 162 *of Madras Act IV of* 1884.)

Paving, &c., of private streets.

181. If any street (not being a public street) or any part thereof is not levelled, paved, metalled, flagged, channelled and drained to the satisfaction of the Municipal Board, they may, by notice to the owners or occupiers of the land or buildings fronting or abutting upon such street or part thereof, require them to carry out, within a time to be specified in such notice, any work which, in the opinion of the Municipal Board,

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ought to be carried out in such street or part thereof.

(*Section* 163 *of Madras Act IV of* 1884.)

Such private street may, on the requisition of the owners, be declared to be public street.

182. (1) If the owner or the occupier to whom a notice shall have been given under Section 181 omits to comply with such notice, the Municipal Board may cause such street to be levelled, paved, metalled, flagged, channelled and drained, and call upon the owner or occupier to pay the expenses incurred thereby, unless such owner or occupier agrees in writing to the street being declared a public street, in which case the Board shall bear the expenses aforesaid. Such street shall thereupon be vested in the Municipal Board and shall thenceforth be a public street.

Other private streets may be declared to be public streets.

(2) The Municipal Board may agree with the person or persons in whom the property in any street is vested to take over the property therein, and may, after such agreement, declare, by notice, put up in any part of such street, that the same has become a public street. Such street shall thereupon vest in the Municipal Board, and shall thenceforth be dealt with in the manner provided for public streets.

(*Section* 164 *of Madras Act IV of* 1884.)

Buildings may set forward for improving line of streets.

183. The Municipal Board may, upon such terms as they think fit, allow any building to be set forward for improving the line of any public street in which such building is situated.

(*Section* 166 *of Madras Act IV of* 1884.)

184. The Municipal Board may by notice require—

Owners and occupiers to construct culverts.

(i) the owners or occupiers of lands or buildings skirting public streets or roads to construct, alter, maintain and keep free from all obstruction culverts of such sufficient plan, size and material as the Municipal Board may direct, over the side channels or ditches at the entrances to such land or buildings; and in default of compliance with such notice within fifteen days, from the expiry of the term fixed in it, the President or Vice-President may cause the same to be done; and the expenses thereby incurred shall be paid by the said owners or occupiers;

Troughs and pipes to be fixed to buildings.

(ii) the owner of every building in any public street to put up and maintain proper troughs and pipes for catching and carrying the water from the roof and other parts of such building, and for discharging the same in such manner as the Municipal Board may allow; and

External walls to be kept in proper repair.

(iii) the owners and occupiers of all buildings or premises adjoining a public thoroughfare to keep the external walls of such buildings or premises in proper repair to the satisfaction of the Municipal Board,

and the Municipal Board shall fix in such notice a period for the execution of such work.

PROJECTIONS AND OBSTRUCTIONS.

(*Section* 167 *of Madras Act IV of* 1884.)

Obstructions not to be made without permission.

185. No wall, fence or other obstruction or encroachment in any public street shall be erected without the written permission of the Municipal Board.

(*Section* 168 *of Madras Act IV of* 1884.)

Removal of existing projections, &c.

186. (1) The Municipal Board may cause any projection, encroachment, or obstruction made against or in front of any building or land in any public street, before the coming into operation of this Regulation, to be removed or altered as they think fit.

Notice of removal.

(2) The Municipal Board shall give notice of such intended removal or alteration to the owner or occupier of the building or land against or in front of which such projection, encroachment, or obstruction has been made, thirty days before such alteration or removal is begun.

Compensation when to be made.

(3) If such projection, encroachment or obstruction shall have been lawfully made, the Municipal Board shall make reasonable compensation to every person who suffers damage by such removal or alteration.

(*Section* 169 *of Madras Act IV of* 1884.)

Owners and occupiers to apply for license to put up verandahs, &c.

187. (1) The owners or occupiers of buildings or lands in public streets intending to put up any verandah, balcony, sunshade, weather-frame, or the like, to project over the pyals and pavements in front of the same or over the street, shall apply in writing to the Municipal Board for a license to do so.

Municipal Board may grant license.

(2) The Municipal Board may in their discretion grant a license in writing to erect such projection, provided that it does not extend over the street to a distance exceeding five feet from the line of frontage and is not of a height above the street, of less than seven feet, and provided also that no license shall be granted if the projection is likely to cause public inconvenience.

(*Section* 170 *of Madras Act IV of* 1884.)

Permissibility of temporary erections on occasions of festivals, &c.

188. Notwithstanding anything hereinbefore contained, the Municipal Board may by a license allow any temporary erections in a street on occasions of festivals and ceremonies.

(*Section* 171 *of Madras Act IV of* 1884.)

License to be obtained and hoarding to be set up during repairs.

189. (1) Every person intending to build or take down any building, or to alter or repair the outward part of any building where any street or footway is likely to be obstructed or rendered inconvenient by means of such work, shall, before beginning the same, obtain a license in writing from the Municipal Board so to do, and shall cause sufficient hoarding or fences to be put up, in order to separate the building where such works are being carried on from the street or footway, and

The same to be lighted during night.

shall maintain such hoarding or fences in good condition, to the satisfaction of the Municipal Board, during such time as the public safety or convenience requires, and shall cause the same to be sufficiently lighted during the night.

(*Section* 172 *of Madras Act IV of* 1884.)

Precaution against accidents.

Bars to be erected across streets during repairs.

190. (1) The Municipal Board shall, during the construction or repair of any street, drain or other premises vested in them, take proper precaution for guarding against accidents, by shoring up and protecting the adjoining houses, and shall cause such bars, chains or posts to be fixed across or in any street in which any such work is going on as they deem necessary in order to prevent the passage of vehicles or animals and avert danger.

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(2) The Municipal Board shall cause every such street, drain or other work, during the construction or repair thereof, to be sufficiently lighted and guarded during the night.

To be lighted and guarded at night.

(3) Whoever takes down, alters or removes, any such bar, chain or post, or extinguishes any such light, without the authority of the Municipal Board, shall be liable to a fine not exceeding Rs. 20.

Penalty for removing bar or light.

(*Section* 173 *of Madras Act IV of* 1884.)

191. No person shall deposit anything so as to cause obstruction to the public, or shall make a hole in any street, without the written permission of the Municipal Board.

Nothing obstructive to be deposited in streets, nor hole made.

NAMES OF STREETS.

(*Section* 174 *of Madras Act IV of* 1884.)

192. (1) The Municipal Board may, from time to time, cause to be put up or painted in English and Kanarese on a conspicuous part of some building, or place, at or near each end, corner or entrance of every street, the name by which such street is to be known.

Names of streets.

(2) Whoever destroys, pulls down, damages or defaces any such name, or puts up any name different from that put up by order of the Municipal Board, shall be liable to a fine not exceeding Rs. 10.

Penalty for defacing, &c.

WATERING AND LIGHTING STREETS.

(*Section* 175 *of Madras Act IV of* 1884.)

193. (1) The Municipal Board may cause the streets to be watered, and for that purpose may provide such works and engines as they think necessary.

Streets may be watered,

(2) The Municipal Board may cause the streets to be lighted, and for that purpose may provide such lamps and works as they think necessary.

and lighted.

FENCES AND HEDGES.

(*Section* 176 *of Madras Act IV of* 1884.)

194. The Municipal Board may by notice require the owner, if known and within the Municipality, and also the occupier of any land, to maintain and repair sufficient fences for, or trim the hedges of such land, so that they may not exceed such height from the level of the adjoining road-way, as the Municipal members may from time to time determine, and to trim all trees which, by overhanging any public street, obstruct the passage or cause damage thereto, within a time to be specified in such notice.

Power to call on owner to maintain fences, or trim hedges and trees.

6. BUILDINGS.

(*Section* 177 *of Madras Act IV of* 1884.

195. The Municipal Board may erect buildings on any vacant land vested in them, and may lease the same on such terms as they deem fit.

Power to erect buildings on vacant ground.

(*Section* 178 *of Madras Act IV of* 1884.)

196. The Municipal Board, or other person authorized by them in writing, may erect or fix to the outside of any building such brackets for telegraphic or telephonic wires or for lamps as they deem necessary, provided always that they shall be erected so as not to occasion any nuisance or inconvenience to such building or to any building in the neighbourhood.

Power to erect or affix to buildings, brackets, &c.

(*Section* 179 *of Madras Act IV of* 1884.)

197. The external roofs, verandahs, pandals and walls of buildings erected or renewed after the coming into operation of this Regulation, shall not be made of grass, leaves, mats or other such inflammable materials except with the written permission of the Municipal Board.

Roofs and external walls of buildings not to be made of inflammable materials.

(*New.*)

198. The Municipal Board may cause any such external roofs, walls and verandahs of inflammable materials erected before this Regulation came into operation, to be removed after due notice, if they shall appear to them to be dangerous to the neighbourhood. And such Board shall make reasonable compensation for any damage which may be occasioned by such removal.

Removal of existing roofs.

(*Section* 180 *of Madras Act IV of* 1884.)

199. (1) Every person intending to erect a building shall, one month before beginning so to erect, make an application to the Municipal Board in writing for a license to erect such building.

Application to be made if new building is to be erected.

(2) Such application shall be accompanied by—

(i) a statement showing the size and dimensions of the building and the levels at which the foundation and lowest floor are intended to be laid, and

Statement of dimensions and level of foundation of floor.

(ii) a statement of the means of ventilation and drainage and the privies which it is intended to provide for the building,

Statement of means of ventilation, drainage, and privies.

(iii) and such further particulars as the Municipal Board may require under the bye-laws.

(3) The Municipal Board shall, within one month after receiving such application, signify their approval or disapproval of such plan, statement and particulars.

Approval or disapproval to be signified within one month.

(4) If they deem the ventilation insufficient, or disapprove of the drainage or of the levels of the lowest floor or foundation, or of the situation or sufficiency of the privies, or of such other particulars as may have been required under the bye-laws, they shall communicate their views to the person proposing to erect the building and, if necessary, specify other levels, privies and means of ventilation or drainage, and such other particulars as aforesaid which it shall be the duty of such person to adopt.

In case of disapproval, Municipal Board to state their views.

(5) If the Municipal Board do not signify their approval or disapproval in writing within one month after receiving such application, the applicant may proceed with his building according to the plan submitted.

If no approval or disapproval in one month, building to proceed.

(*Section* 181 *of Madras Act IV of* 1884.) 966

200. The Municipal Board may at any time interfere to put a stop to the erection of any building, if they think that the work in progress is dangerous to human life.

Municipal Board to interfere if building dangerous to human life.

(*Section* 182 *of Madras Act IV of* 1884.)

201. (1) The Municipal Board may, from time to time, affix a number in a conspicuous place to the outer door or side of any building, or at the entrance of the enclosure thereof fronting the street.

Numbers on buildings.

(2) Whoever destroys, pulls down, damages or defaces any such number shall be liable to a fine not exceeding Rs. 5.

Penalty for defacing

RUINOUS OR DESERTED BIULDINGS AND DANGEROUS PLACES.

(*Section* 183 *of Madras Act IV of* 1884.)

202. (1) If any building or tree, or anything attached thereto, is deemed by the Municipal Board to be in a ruinous state or likely to fall or to be in any way dangerous to the inhabitants of such building, or to the neighbouring buildings, or the occupiers thereof, or to passengers, they shall immediately cause such building, tree or thing to be fenced in such manner as they deem necessary for the public safety.

Buildings, &c., in a ruinous and dangerous state to be fenced.

(2). They shall give notice to the owner, if he be known and resident within the Municipality, and to the occupier, if any, of the premises to which such building, tree or thing belongs, requiring such owner or occupier, within a time to be specified in such notice, to take such order with such building, tree or thing, as they may think fit.

Notice to owner or occupier to taken down or secure.

(*Section* 184 *of Madras Act IV of* 1884.)

203. If any building or land, by reason of abandonment, disuse, disputed ownership, or other cause, remains untenanted and thereby becomes a resort of idle and disorderly persons, or, in the opinion of the Municipal Board, in any manner becomes a nuisance, the Municipal Board, after due inquiry, may give notice to the owner, or to the person claiming to be the owner, if he be known and resident within the Municipal limits, requiring the persons concerned therein, whoever they may be, to secure, enclose, clear or cleanse the same within a time to be specified in such notice, and shall also cause such notice to be put on the door or some conspicuous part of the building or land.

Power to secure, enclose, &c., deserted buildings and lands.

(*Section* 185 *of Madras Act IV of* 1884.)

204. If any building, tank, well or hole, or other place, whether on public or private ground, is, for want of sufficient repair, protection or enclosure, dangerous to the public health or safety, the Municipal Board may, by notice, require the owner or occupier of such place or of the land on which such building, tank, well or hole is situated to cause the same to be repaired, protected, or enclosed, so as to prevent danger therefrom within a time to be specified in such notice.

Dangerous places to be repaired or enclosed.

UNWHOLESOME BUILDINGS OR LANDS.

(*Section* 186 *of Madras Act IV of* 1884.)

205. (1) The Municipal Board may, by notice, require the owner or occupier of any building or land, which is in their opinion in a filthy, or unwholesome state, or which is overgrown with prickly-pear, wattle, lantana or noxious vegetation, to cleanse, clear, or otherwise put the same in a proper state, within a time to be specified in such notice.

Penalty for filthy building or land.

(2) The Municipal Board, or any person generally or specially authorized by them in writing in this behalf, may, by notice addressed to the occupier of any such building, direct all or any part thereof to be internally and externally lime-washed or otherwise cleansed in the manner and within a time to be specified in such notice.

Power to enter and order cleansing of buildings.

REMOVAL OF BUILDINGS.

(*Section* 187 *of Madras Act IV of* 1884.)

206. (1) Whenever the Municipal Board consider that any block of buildings in the Municipalty is, by reason of the manner in which such buildings are crowded together, or of the want of drainage or ventilation, and the impracticability of cleansing, attended with risk of disease to the occupiers thereof or to the inhabitants of the neighbourhood, they may cause a notice to be fixed to some conspicuous part of such block, requiring the owners or occupiers thereof, or, at the option of the Municipal Board, the owner of the land on which such buildings are erected, within a reasonable time to be specified in such notice, to execute such works or take such action as the Municipal Board deem necessary for the prevention of such risk.

Power of Municipal Board in case of overcrowded buildings, &c.

Notice to be affixed requiring owner to execute works, or take action.

(2) If such owners or occupiers neglect to execute such works or take such action within the time specified, the Municipal Board may, with the sanction of Government, cause such works to be executed or such action to be taken in respect of such buildings, and may, if necessary, cause such buildings or any of them to be pulled down.

Municipal Board to cause works to be performed at expense of owners, or buildings to be pulled down.

(3) In cases where under this section a building is pulled down, the Municipal Board shall make to the owner or occupier thereof a reasonable compensation.

Compensation in respect of buildings pulled down.

7. OFFENSIVE AND DANGEROUS TRADES.

(*Section* 188 *of Madras Act IV of* 1884.)

207. (1) The Municipal Board at a Meeting may direct—

(i) the owner or occupier of every place used for any of the following purposes, *viz.*, for depositing or washing soiled clothes, or for boiling paddy, or for melting tallow or sulphur, or for boiling or storing offal, blood, bones or ragesty, or for washing or drying wool or hair, or as a soap-house, dyeing-house or yard, camphor or oil-boiling-house, oil-mill or press, tannery, brick, pottery or limekiln, sago manufactory, distillery or other manufactory, or place for storing hides, fish, horns, skins, from which either offensive or unwholesome smells arise, gunpowder manufactory, manufactory of fire works, place of storing explosive or combustible materials, or of any place which is used for any purposes which are calculated to be dangerous to life, health or property; and

License for offensive or dangerous trades.

(ii) the owner or occupier of any of the following places, *viz.*, livery or hack-stables, horse lines, veterinary, infirmary, public halting-place, cart-stand, cattle-shed, or yard in which twenty sheep or goats or ten head of cattle or ten pigs are kept or allowed to be together; and

License to keep stables, cart-stand, yard for cattle, &c.;

(iii) every occupier of every separate place or portion of any place for the sale or for the storage of wood, firewood, thatching materials, hay, grass, straw or coal; and

for timber, firewood, and hay depôts;

(iv) every owner of a bake-house to apply to the President or Vice-President for a license, within the first month of every official year, or, in the case of a place about to be opened for any such purposes, thirty days prior to such opening.

to be applied for on the direction of the Municipal Board.

Provided that no license shall be required for the storage of wood, firewood, thatching materials, hay, grass, straw or coal for private use in such quantities and under such restrictions for safety as the President or Vice-President may direct.

Proviso.

(2) The President or Vice-President may in his discretion grant any license applied for under this section for any period not exceeding one year subject to such rules as to supervision and inspection and such conditions as to latrines and other matters as he thinks proper, or he may refuse, or at any time suspend, or cancel such license.

President or Vice-President may grant or withhold licenses.

(3) Every order refusing, cancelling or suspending such license shall be in writing and shall state the grounds on which it proceeds, and any person aggrieved by such order may, within one month after such order, appeal to the Municipal Board who shall pass such orders thereon as they deem fit.

Appeal.

(*Section* 189 *of Madras Act IV of* 1884.)

208. Whoever, without such license, or after a license has been refused, cancelled or suspended, uses or permits to be used any place for any of the said purposes, or infringes any of the conditions under which such license is granted, shall be liable to a fine not exceeding Rs. 100, and to a further fine not exceeding Rs. 5 for every day after conviction during which the offence is continued.

Penalty for using place without licenses.

(*Section* 190 *of Madras Act IV of* 1884.)

209. The Municipal Board may, from time to time, provide places for the purpose of being used as cart-stands or pudlic halting-places, and may levy fees for the use thereof.

Cart-stands.

8. SLAUGHTER-HOUSES.

(*Section* 191 *of Madras Act IV of* 1884.)

210. (1) The Municipal Board shall provide a sufficient number of places for the purpose of being used as public slaughter-houses, and may levy a fee on each animal slaughtered therein, at rates not exceeding Re. 1 for every head of cattle, and Annas 2 for every sheep, goat or pig.

Municipal Board to provide slaughter-houses.

(2) No place in any Municipality shall be used as a slaughter-house or for the slaughtering of any animal intended for food, or for selling or storing for sale the flesh thereof, unless a license for such use thereof has been previously obtained from the President or Vice-President.

Slaughter-houses and butchers' shops to be licensed.

(3) No cattle, sheep, goat or pig shall be slaughtered within the Municipality except in a public or licensed slaughter-house.

License to be issued for slaughter and fees charged.

(4) The President or Vice-President may permit the slaughtering of any animal in such place or places as he thinks fit on occasions of festivals and ceremonies or as a special measure.

Festivals.

(*Section* 192 *of Madras Act IV of* 1884.)

211. Whoever slaughters, or permits to be slaughtered, cuts up or skins, or permits to be cut up or skinned any cattle, sheep, goat, or pig, at any place within the Municipality other than a public or licensed slaughter-house or place, except with the written permission of the President or Vice-President, or whoever dries or permits to be dried any skin in such a manner as to cause a nuisance, shall be liable to a fine not exceeding Rs. 10 for each animal or skin.

Penalty for slaughtering except at a slaughter-house or drying skins so as to cause nuisance.

(*Section* 193 *of Madras Act IV of* 1884.)

212. The provisions of Sections 207, 208, 210 and 211 shall not apply to places used by Government or His Highness the Maharaja for the purposes mentioned in the said sections.

Government places exempted.

9. Public Markets.

(*Section* 194 *of Madras Act IV of* 1884.)

213. (1) The Municipal Board may, by a resolution passed at a meeting, determine to provide places within the Municipality for the purpose of being used as public markets, and the Municipal Board may charge such rents, tolls and fees as they may deem fit for the use of, or right to expose goods for sale in, such markets, and for the use of shops, stalls, sheds, pens and standings therein.

Municipal Board may provide markets and charge rents and fees.

(2) The Municipal Board may, at a meeting with the sanction of Government, determine to close any such market or any part thereof.

Municipal Board may close markets.

(3) The Municipal Board may expel from any such market any persons who, or whose servants, may be convicted of disobeying any bye-law made for the regulation and control of such market, and may prevent such person, by himself or his servants, from further carrying on any trade or business in such market, or occupying any stall, shop or other place therein, and may determine any lease or tenure which such person may have in any such stall, shop or other place.

Power to expel persons breaking regulations, and determine lease.

(*Section* 195 *of Madras Act IV of* 1884.)

214. Whoever, without the permission of the Municipal Board, sells or exposes for sale any article within a public market shall be liable to a fine not exceeding Rs. 5 for each offence.

Penalty for selling in market without permission.

Private Markets.

(*Section* 196 *of Madras Act IV of* 1884.)

215. (1) Every person intending to open a new private market for the sale, or exposure for sale, of animals or articles of human food, shall obtain from the Municipal Board a license to do so.

Application for opening a new private market.

(2) The Municipal Board may at a meeting grant or refuse such license.

Municipal Board may refuse license.

(3) If they grant such license they shall cause a notice of such license to be affixed in English and in Kanarese in some conspicuous place at or near the entrance to such licensed market, and also to be published in the official Gazette at the cost of the person to whom the license shall have been granted.

Notice of license to be affixed, &c.

(*Section* 197 *of Madras Act IV of* 1884.) 670

Penalty for selling in unsanctioned market.

216. Whoever, knowing that such license has not been granted, sells or exposes for sale in such market any animal or article, shall be liable to a fine not exceeding Rs. 10, and to a further fine not exceeding Rs. 5 for every day after conviction during which he sells or exposes for sale therein any animal or article.

(*Section* 198 *of Madras Act IV of* 1884.)

Owner to apply for license yearly.

217. (1) The owner of every private market for the sale or exposure for sale of animals or articles of food shall, in the first month of each official year, obtain from the Municipal Board a license to keep open such market.

Municipal Board may grant or refuse license.

(2) The Municipal Board at a meeting may, under such conditions as they shall think fit, grant or refuse such license; and they shall refuse it if the market is, by position, construction or arrangement, unfit in their opinion for the purpose of a market and calculated to be a nuisance to the neighbourhood. The Municipal Board at a meeting may refuse, suspend or withhold the license until any or all of such works as may be ordered by them, or any or all of the terms of the license, are carried out; and the Municipal Board shall cause a notice of such refusal, suspension or withholding to be affixed in English and in Kanarese in some conspicuous place at or near the entrance to such market, and also to be published in the official Gazette.

Notice of refusal.

(*Section* 199 *of Madras Act IV of* 1884.)

Penalty where license has been refused.

218. If the Municipal Board by an order in writing refuse to grant, suspend or withold such license in the case of any market and such market is kept open during the time that the said order remains uncancelled, the owner of such market and every person who, having notice of such order, sells or exposes for sale any animal or article therein, shall be deemed to have opened a market without the license of the Municipal Board and to have sold or offered for sale animals or other articles therein.

(*Section* 200 *of Madras Act IV of* 1884.)

Markets to be properly drained, &c.

219. Every owner, farmer, or occupier of any market for the sale of any animal or vegetable food or drink within the Municipality, shall—

(i) construct such drains and cesspits therein as the Municipal Board direct;

(ii) cause such market to be roofed and paved with such materials and in such manner, and provided with such latrines and urinals, of such description and in such position and number, as the Municipal Board direct;

(iii) provide for such supply of water to such market as the Municipal Board direct; and

(iv) make such alterations in the stalls, passages, shops, doors, or other parts of the said market or place as the Municipal Board direct.

(*Section* 201 *of Madras Act IV of* 1884.)

Penalty for default.

220. (1) If such owner, farmer, or occupier, after notice given to him by the Municipal Board directing him to carry out within a period to be specified in the notice any of the measures provided in the last preceding section, fails to comply with such notice, the Municipal Board may suspend, withhold or refuse the license until the notice shall have been complied with; and any person opening or keeping open any such market after such withholding, suspension or refusal, shall be liable to a fine not exceeding Rs. 20 for every day during which such market or place is so opened or kept open.

(2) Any owner, farmer, occupier, agent, or manager in charge of any market, or of any shop, stall, shed or other place therein, who keeps the same so that it is a nuisance, or who does not cause anything that is a nuisance to be at once removed to a place to be notified by the Municipal Board shall be liable to a fine not exceeding Rs. 20 for each offence.

Penalty for not keeping market properly, or for not abating nuisance, or for obstructing.

(*Section* 202 *of Madras Act IV of* 1884.)

221. The Municipal Board or any officer duly authorized by them in that behalf may close any market, the license for which has been refused, withheld, or suspended.

Power to close market.

(*Section* 204 *of Madras Act IV of* 1884.)

222. (1) The Municipal Board may, from time to time by notification, by beat of drum and by publication in the official Gazette, prohibit the sale, or exposure for sale, of any articles in or upon any specified public street or part of such street, and may, in like manner, cancel, suspend or modify such prohibition.

Municipal Board may prohibit sale in street.

(2) Whoever after such notification sells, or exposes for sale, any articles in any such street against the terms of such notification shall be liable to a fine not exceeding Rs. 10.

(*Section* 204 *of Madras Act IV of* 1884.)

223. (1) The Municipal Board or any person appointed by them in writing for that purpose, may at all reasonable times enter into and inspect any place used for the sale, either wholesale or by retail, or for the storing, of articles of human food or drink intended for sale, or wherein such articles may be detained, and may examine any such articles which are therein.

Municipal Board may enter and inspect places of sale or store and examine articles of food or drink.

(2) If it appears to the Municipal Board or such person that any such articles are unfit for human food or drink, they or he may detain the same, and report the case for the orders of the Magistrate.

Such articles if unwholesome may be detained.

(3) If the Magistrate finds that such articles are unfit for human food or drink, he shall order the same to be destroyed, or so disposed of as to prevent their being exposed for sale or used for human food or drink.

Magistrate may order the same to be destroyed.

(4) If the Magistrate finds that the articles so detained were fit for human food or drink, he may make an order upon the Municipal Board to return such articles, or such portion thereof as may be in good condition, to the owner, or to the person in whose possession such articles were found, and to pay to him such reasonable amount as the Magistrate considers will compensate such owner or person for any loss or depreciation that may have been caused by such detention.

Magistrate may return articles if in good condition, and order compensation for loss, &c.

(*Section* 205 *of Madras Act IV of* 1884.)

224. The Municipal Board, or any persons appointed by them in that behalf, may examine and test the weights and measures used in markets and shops in the Municipality with a view to the prevention and punishment of offences relating to such weights and measures under Chapter XIII of the Indian Penal Code.

Inspection of weights and measures.

10. Public Latrines.

(*Section* 206 *of Madras Act IV of* 1884.)

225. (1) The Municipal Board shall, so far as the funds at their disposal may admit, provide a sufficient number of public latrines and urinals, and shall cause the same to be kept in proper order and to be daily cleansed.

Latrines and urinals to be provided.

(*New.*) 972

(2) [It shall also be lawful for any Municipal Board to grant to such persons and for such period as it thinks fit, licenses to keep privies for public accommodation, subject to such conditions as may be necessary for the preservation of public health and decency. Any such person holding such license and failing to observe the conditions prescribed in such license shall be liable to a fine not exceeding fifty rupees: Provided that it shall be lawful for the Municipal Board at any time, on giving one month's notice in writing, to cancel any license granted under this Section.]

Licensed public necessaries.

PRIVATE LATRINES.

(*Section* 207 *of Madras Act IV of* 1884.)

226. (1) The Municipal Board may, by notice, require—

Latrines for private houses,

(i) the owner or occupier of every building to provide a latrine or alter any existing latrine in accordance with the direction contained in such notice for the use of persons employed in or about or occupying such building, and to keep the same in a clean and proper manner, and

(ii) every owner or occupier of the ground on which any block of six or more huts stands to provide and maintain such latrines as the Municipal Board may prescribe in such notice for the use of the inhabitants of such huts, within a time to be specified in such notice.

(2) Such latrines shall be sufficiently shut out and screened from the view of persons passing by or residing in the neighbourhood.

to be enclosed.

(*Section* 208 *of Madras Act IV of* 1884.)

227. The Municipal Board may by notice in writing require any person employing workmen, laborers or other persons exceeding twenty in number, to provide and maintain for them in proper order latrines and urinals, to be approved by the Municipal Board in such number as they may consider necessary.

Latrines, &c., for laborers.

Whoever fails to comply with such requisition within a reasonable time to be specified in such notice shall be liable to a fine not exceeding Rs. 20, and to a further fine not exceeding Rs. 5 for every day after conviction during which such offence is continued.

(*Section* 209 *of Madras Act IV of* 1884.)

228. The President or Vice-President may, subject to the approval of the Municipal Board, contract with the owner or occupier of any building or land to supply him, on payment, with a scavenger for the removal of night-soil from the building or land belonging to, or occupied by, such owner or occupier on such terms and subject to such conditions as the President or Vice-President may think fit.

Private scavengering.

11. DRAINS.

(*Section* 210 *of Madras Act IV of* 1884.)

229. (1) All public or other drainage works for the improvement of, or the conservancy hereafter required in, any Municipality shall be constructed under the direction of the Municipal Board.

Drainage works to be constructed under the direction of the Municipal Board.

(2) The Municipal Board, in making sewers or other drainage works, may, if needful, carry any sewer or drainage work through, across or under any street, garden or other place, or into or under any building, cellar or vault.

Powers of Municipal Board in making public sewers.

(3) Whenever it is necessary to carry a sewer or other drainage work through, across or under any private property, the Municipal Board shall give notice to the owner or occupier of such property, and the Municipal Board shall pay reasonable compensation for any injury done to such property by any such sewer or drainage work.

Notice to owner of private property, and compensation for injury thereto.

(4) The Municipal Board may maintain and, from time to time, repair and, as they see fit, enlarge, alter, arch over or otherwise improve all or any of the sewers and drainage works vested in them by this Regulation; and may discontinue, close up, or destroy such of them as they deem unnecessary.

Municipal Board may maintain, repair, alter, or close sewers.

(*Section* 211 *of Madras Act IV of* 1884.)

230. No person shall, without the written permission of the Municipal Board, make any drain into a public sewer or drain or stop up, divert, obstruct, or in any way interfere with any public drain or sewer, whether the same passes through public or private ground.

Making drains.

(*Section* 212 *of Madras Act IV of* 1884.)

231. No building shall be newly erected over any sewer or drain, or any part of any sewer or drain, vested in the Municipal Board by this Regulation, or upon any ground which has been covered, raised or levelled, wholly or in part by street sweepings or other rubbish without the written permission of the Municipal Board.

Buildings over sewers, &c., not to be erected without consent of the Municipal Board.

(*Section* 213 *of Madras Act IV of* 1884.)

232. No drain, privy or cess-pool shall be constructed without the written permission of the Municipal Board.

Construction of drains.

(*Section* 214 *of Madras Act IV of* 1884.)

233. (1) All branch drains, as well within as without the lands or buildings to which they belong, and all private latrines, privies and cess-pools within the Municipality shall be under the survey and control of the Municipal Board, and shall be altered, repaired, cleansed and kept in proper order at the cost of the owners of the lands and buildings to which the same belong, or for the use of which they are constructed or continued.

Branch drains, privies, &c., to be under control of Municipal Board and to be kept in order at cost of owners.

(2) The Municipal Board may by notice require the owner of any land or building to which any such latrine, privy, or cess-pool belongs, to alter, repair, cleanse and put the same in good order, in the manner required by the Municipal Board, within a time to be specified in such notice.

Municipal Board may require owner to repair, &c., any drain or privy.

(*Section* 215 *of Madras Act IV of* 1884.)

234. (1) If, upon inspection by the President or Vice-President or other officer authorized by him in that behalf, it appears that such latrine, drain, privy or cess-pool is not in good order, or that it has been constructed after the coming into operation of this Regulation, in the Municipality and contrary to the provisions thereof, the expenses of such inspection shall be paid by the person to whom such latrine, drain, privy, or cess-pool belongs.

When expense of inspection to be borne by owner.

(2) If such latrine, drain, privy, or cess-pool be found to be in proper order and not to have been constructed contrary to the provisions of this Regulation, the President or Vice-President or officer as aforesaid shall cause the ground to

When such expense to be borne by Municipal Board.

be closed and made good as soon as may be, and the expenses of opening, closing and making good such latrine, drain, privy, or cess-pool shall, in that case, be defrayed by the Municipal Board.

(*New.*)

Power of Municipal Board to provide for private scavengering.

235. The Municipal Board may, whenever they deem fit, provide for the collection, removal and disposal by Municipal agency of all excrementitious and polluted matter from private privies, urinals, or cess-pools and maintain such scavengering establishment as may be deemed necessary for such purpose and recover the cost of such establishment from the owners or occupiers of the houses to which such privies, urinals, or cess-pools belong, provided that the amount recoverable in respect of any one premises shall not exceed 8 annas per mensem.

12. General Sanitary Regulations.

(*Section* 216 *of Madras Act IV of* 1884.)

Cleansing of streets.

236. The Municipal Board shall, as far as the funds at their disposal may admit, cause the streets and footways to be regularly swept and cleansed, and the dust, dirt, ashes, rubbish, and filth of every sort found thereon to be collected and removed.

(*Section* 217 *of Madras Act IV of* 1884.)

Providing places for the deposit of dirt, &c.

237. (1) The Municipal Board shall, as far as the funds at their disposal may admit, provide suitable and sufficient—

(i) depôts or places for the deposit of all the matters mentioned in the last preceding section, and

(ii) dust-bins for the temporary deposit of dust, dirt, ashes, kitchen refuse, and other inoffensive matter (excepting building, stable, and garden refuse, which shall be removed by the owner thereof).

Penalty for deposit elsewhere.

(2) Whoever, after such provision has been made, deposits any of the said matters or any building, stable or garden refuse in any street, pavement or verandah of any building, or on any ground between the building and the street, or on any part of a river-bank, whether above or below high water mark, or on any part of any private premises or land without the consent of the owner or occupier thereof, shall be liable to a fine not exceeding Rs. 10 for each offence.

(*Section* 218 *of Madras Act IV of* 1884.)

Providing covered vehicles for removal of night-soil, &c.

238. (1) The Municipal Board shall, as far as the funds at their disposal may admit, provide suitable and sufficient—

(i) covered vehicles, carts or other means for the separate removal of night-soil and other offensive matter from the houses in the Municipality; and

(ii) depôts or places for the deposit of such matters.

Depôt for deposit of the above.

(2) Whoever, after such provision, deposits—

Penalty for deposit elsewhere.

(i) any such matters in any dust-bin or in any vehicle, cart or vessel not covered, or in any Municipal cart not intended for that purpose, or in any of the places mentioned in Sub-section (2), Section 237, or in any manner otherwise than as directed, or

(ii) any matter other than night-soil and other offensive matter in any vehicle, cart or vessel provided under this section for the separate removal of night-soil and other offensive matters, shall be liable to a fine not exceeding Rs. 10 for each offence.

Penalty for deposit of matter other than those referred to.

(3) But no person shall be liable to such fine by reason of mixing dry earth or ashes with night-soil or other offensive matter for the purpose of deodorizing it.

No penalty for mixing dry earth.

(*Section* 219 *of Madras Act IV of* 1884.)

239. The Municipal Board may by notice require all occupiers of buildings within the Municipality or any part thereof to provide, within a time to be specified in such notice, movable private receptacles of a kind to be specified in the notice, for the temporary deposit in their buildings of night-soil or other offensive matter.

Provision of receptacles for temporary deposit of filth in houses.

(*Section* 220 *of Madras Act IV of* 1884.)

240. (1) The Municipal Board may by notification appoint the time or times daily before which such movable private receptacle shall be in readiness on the premises and screened from public view for the removal of the contents thereof by the Municipal servants.

Notification of time when such receptacles should be in readiness for removal of contents.

(2) Every occupier who, after such notification, fails to have the night-soil or other offensive matter of his house collected in such receptacle and ready for removal, or who deposits any other matter in such receptacle, shall be liable to a fine not exceeding Rs. 5 for each offence.

Penalty for default.

(3) But no person shall be liable to such fine by reason of mixing dry earth or ashes with night-soil, or offensive matter for the purpose of deodorizing it.

No penalty for mixing dry earth.

(*Section* 221 *of Madras Act IV of* 1884.)

241. Every occupier of a building or land, who—

(i) keeps or allows to be kept for more than twenty-four hours, or otherwise than in proper receptacle, any night-soil, rubbish or other offensive matter in such building, or upon the roof thereof, or in any out-building, yard, pavement or verandah attached to or belonging to such building or on such land, or

Penalty for keeping filth for more than twenty-four hours, &c.

(ii) neglects to employ proper means to remove the filth from such receptacle and to cleanse the same, and to dispose of such filth in the manner directed by the Municipal Board, or

(iii) fails to comply with any requisition of the Municipal Board as to the repair, paving or cleansing of any latrine in his building or belonging thereto,

shall be liable to a fine not exceeding Rs. 10 for each offence, and an additional fine not exceeding Rs. 5 for every day, after conviction for such offence, during which the offence is continued.

(*Section* 222 *of Madras Act IV of* 1884.)

242. Every owner or occupier who allows the water of any sink, drain or privy, or the drainage from any stable or place, or any other offensive liquid matter belonging to him or being on his land or in his building or in any building or land occupied by him, to run down on, or to be put upon, any street, or into any drain in or alongside of any street except in such a manner as shall prevent any avoidable

Penalty for allowing sewage to flow in streets.

nuisance from any such liquid or offensive matter soaking into the walls or ground at the side of the said drain, shall be liable to a fine not exceeding Rs. 10 for each offence.

(*Section* 223 *of Madras Act IV of* 1884.)

Penalty for using any cart without cover in the removal of night-soil, &c.

243. Whoever, in the removal of night-soil or other offensive matter, uses any cart or receptacle not having a covering proper for preventing the escape of the contents thereof, or of the stench therefrom, or spills any such offensive matter in the removal thereof or does not carefully sweep and clean every place in which any such offensive matter has been spilled, or places or sets down in any public place any night-soil or offensive matter whether in a vessel closed or open, shall be liable to a fine not exceeding Rs. 10 for each offence.

(*Section* 224 *of Madras Act IV of* 1884.)

Penalty for throwing rubbish, &c., into sewers or drains.

244. Whoever puts or causes to be put any earth, dirt, ashes, garden, kitchen, or stable refuse, broken glass, earthenware, rubbish or night-soil into any sewer or drain belonging to the Municipal Board or into any drain communicating therewith, shall be liable to a fine not exceeding Rs. 20 for each offence.

(*Section* 225 *of Madras Act IV of* 1884.)

Nuisance by child.

245. Whoever having the care or custody of any child under 12 years of age either negligently or wilfully omits to prevent such child from committing a nuisance in or by the side of any street, shall be liable to a fine not exceeding Rs. 5.

(*Section* 72 *of the Central Provinces Municipal Act XVIII of* 1889.)

Removal of drain, &c., situated near any source of water-supply.

246. The Board may by notice require any owner or occupier on whose land any drain, latrine, urinal, cesspool, or other receptacle for filth or refuse for the time being exists within fifty feet of any spring, well, tank, reservoir or other source from which water is or may be derived for public use to remove or close the same within one week; and such owner or occupier who fails to comply with the notice shall be liable to a fine not exceeding Rs. 20.

13. Miscellaneous.

(*Section* 226 *of Madras Act IV of* 1884.)

Municipal Board may take steps to abate over-crowding of buildings.

247. (1) Whenever the Municipal Board consider that any building is so overcrowded as to be, or to be likely to become, dangerous or prejudicial to the health of the inhabitants, the Municipal Board may cause proceedings to be taken before a Magistrate to abate such overcrowding, and the Magistrate shall thereupon make such order as he thinks fit.

Penalty for neglect of Magistrate's order.

(2) Any person permitting such overcrowding after the date of such order shall be liable to a fine not exceeding Rs. 10 for each day after such date during which such overcrowding continues.

(*Section* 227 *of Madras Act IV of* 1884.)

Power to cleanse or fill up stagnant pools, &c.

248. The Municipal Board may cleanse, fill up or drain all wells or receptacles of stagnant water (not being private property) which they consider likely to prove injurious to the health of the neighbourhood.

Proviso.

Provided that it shall not be lawful to fill up any wells or receptacles of stagnant water except with clean soil, gravel or sand.

(*Section* 228 *of Madras Act IV* of 1884.)

249. (1) The Municipal Board may by notice require the owner of any tank or well to cleanse, fence, repair or fill it up, if on inspection it appears likely to be dangerous, or prove injurious to the health of the neighbourhood.

Cleansing or filling up of tanks and wells.

(2). Or they may, by notice, require the owner or occupier of any land or premises to drain off, or otherwise remove, any stagnant water from such land or premises or from any tank or well attached thereto, if they consider that such stagnant water is injurious to health or offensive to the neighbourhood.

Draining off of stagnant water.

(3). Such notice may specify the mode in which such cleansing, filling up, repairing, fencing, or drainage, or each of such works is to be effected and the time within which specified portions thereof must be done.

Order may specify mode in which work to be done.

(*Section* 229 *of Madras Act IV of* 1884.)

250. Whoever, not being an officer of Government in the discharge of his duty, or not being provided with a license from the President or Vice-President or from some officer of Government having authority to grant the same, removes earth, sand or other material from or deposits any matter, or makes any encroachment or obstruction in or upon any land or river, canal, backwater or watercourse within the Municipality (not being private property) shall be liable to a fine not exceeding Rs. 20 for every such offence; but it shall be competent for the Municipal Board to set apart special localities within the Municipality where such removal from, or deposit in, of earth, sand or other material may be made without a license.

Person removing sand, &c., from public river, &c., without authority, liable to penalty.

(*Section* 230 *of Madras Act IV of* 1884.)

251. (1) The Municipal Board may, and if so directed by the District Magistrate shall, from time to time, cause to be notified by beat of drum or otherwise that pigs and dogs found straying within certain limits will be destroyed.

Stray pigs and dogs

(2) Pigs and dogs found straying within such limits after such notification may be destroyed by any person in such manner as the Magistrate of the District may from time to time direct.

may be destroyed.

(*Section* 214 *of Bengal Municipal Act III of* 1884.)

252. The Municipal Board at a meeting may offer rewards for the destruction of noxious animals within the limits of a Municipality.

The Municipal Board may offer rewards for the destruction of noxious animals.

14. Prevention of Infectious Diseases.

(*Section* 231 *of Madras Act IV of* 1884.)

253. (1) The President or Vice-President, or any officer duly appointed by him in writing in this behalf, may enter at any time after two hours' notice into any building or premises in which any epidemic, endemic, or dangerous infectious disease is reputed or suspected to exist, for the purpose of inspecting such building or premises.

President or Vice-President to have power of entry for purpose of preventing spread of disease.

(2) No such inspection shall be made except in the hours between sunrise and sunset.

(3) If the President or Vice-President is of opinion that the cleansing or disinfecting of a building or premises or of a part thereof, or of any articles therein likely to retain infection,

Disinfection of houses, &c.

would tend to prevent or check the spread of any dangerous infectious disease, he may, by notice, require the owner or occupier to cleanse or disinfect the same within a time to be specified in such notice; provided always that when, in the opinion of the President or Vice-President the owner or occupier is, from poverty or otherwise, unable effectually to carry out the said requirements, the President or Vice-President may cleanse or disinfect such building or premises, and any articles therein likely to retain infection, at the expense of the Municipal Fund.

(*Section* 232 *of Madras Act IV of* 1884.)

Places for washing.

254. (1) The President or Vice-President may from time to time notify places at which articles of clothing or bedding or other articles which have been exposed to infection from any dangerous infectious disease may be washed.

Infected articles may be destroyed.

(2) The President or Vice-President may direct the destruction of bedding, clothing, or other articles likely to retain infection, and may in his discretion give compensation for the articles destroyed.

Penalty.

(3) Whoever washes such clothing or bedding or other articles at any place other than those set apart for such purposes under Sub-section (1) of this section, shall be liable to a fine not exceeding Rs. 50.

(*Section* 233 *of Madras Act IV of* 1884.)

President or Vice-President may order removal of patients to hospital.

255. When a hospital or place for the reception of persons suffering from any dangerous infectious disease is provided within the limits of any Municipality, the President or Vice-President may, on a certificate signed by a medical practitioner, direct the removal to such hospital or place of any person suffering from a dangerous infectious disease, who is, in the opinion of such medical practitioner, without proper lodging or accommodation, or who is lodged in a room occupied by more than one family.

15. Burial and Burning Grounds.

(*Section* 234 *of Madras Act IV of* 1884.)

Municipal Board to provide burial or burning grounds.

256. (1) The Municipal Board may by a resolution at a meeting determine to provide a sufficient number of convenient and fitting places for burial or burning grounds, either within or without the limits of the Municipality.

Burial-grounds, &c., outside Municipality to be governed by Regulation and bye-laws.

(2) Whenever the Municipal Board have provided any such place beyond the Municipality, all the provisions of this Regulation and all bye-laws framed under this Regulation for the management of such places within the Municipality shall apply to such place.

(*Section* 235 *of Madras Act IV of* 1884.)

Burial and burning grounds to be registered.

257. (1) Every owner or person having the control of any place used at the date of the coming into operation of this Regulation as a burial-ground or burning-ground shall, if such place be not already registered, apply to the Municipal Board to have such place registered.

If no owner, Municipal Board may register or close.

(2) If it appears to the Municipal Board that there is no owner or person having the control of any such place, the Municipal Board shall assume such control and direct it to be registered, or may at a meeting, with the sanction of Government, determine to cause it to be closed.

979 (*Section* 236 *of Madras Act IV of* 1884.)

258. No new burial-ground or burning-ground, whether public or private, shall be opened, or used, after the coming into operation of this Regulation, unless a license has been granted by the Municipal Board at a meeting.

No burial or burning ground to be opened without license.

(*Section* 237 *of Madras Act IV of* 1884.)

259. A book shall be kept at the Municipal Office in which places registered under Section 257, or licensed under the last preceding section, shall be recorded.

A Book to be kept of places registered.

(*Section* 238 *of Madras Act IV of* 1884.)

260. Whoever in any Municipality buries, or burns, or causes, or suffers to be buried or burnt, any corpse in any unregistered and unlicensed vault, grave, burial or burning-ground or other place, private or public, shall be liable to a fine not exceeding Rs. 100.

Penalty for contravening section.

(*Section* 239 *of Madras Act IV of* 1884.)

261. The person having control of a burial-ground or burning-ground shall give information to any person appointed by the Municipal Board in that behalf of all burials and burnings which take place in or on such ground.

Notice to be given to Municipal Board of burials, &c.

(*Section* 240 *of Madras Act IV of* 1884.)

262. (1) If the Municipal Board are satisfied that any registered or licensed burial or burning-ground is in such a state as to be or to be likely to become dangerous to the health of persons living in the neighbourhood thereof, or that any such place is overcrowded with graves,

Where burial or burning grounds are dangerous to health —

and in the case of a public burial or burning ground that another convenient place duly authorized for burial or burning, as the case may be, has been provided for the persons who would ordinarily make use of such place,

and another convenient place is provided—

they may, with the previous sanction of Government issue a notice that it shall not be lawful, after a period of not less that two months, to be named in such notice, to bury or burn any corpse in or on such first mentioned burial or burning-ground.

Notice may issue not to bury or burn.

(2) Every such notice shall be published in the official Gazette and in the Municipality by beat of drum.

Notice to be published.

(3) Whoever, after the expiration of such period, buries or burns, or causes or permits to be buried or burnt, any corpse contrary to the terms of the notice shall be liable to a fine not exceeding Rs. 100.

Penalty for burning, &c, contrary to notice.

(*Section* 94 *and* 142 *of Punjab Municipal Act XIII of* 1884.)

263. The Municipal Board may, by public notice, prescribe routes for the removal of corpses to burial or burning places; and whoever carries a corpse along a route prohibited by the Municipal Board or in a manner likely to cause annoyance to the public shall be punishable with fine which may extend to ten rupees.

Removal of corpses.

(*Section* 241 *of Madras Act IV of* 1884.) 980

264. Whoever—

(i) buries, or causes to be buried, any corpse, or part of a corpse, in a grave whether dug or constructed of masonry, or otherwise in such manner that the surface of the coffin, or the surface of the body where no coffin is used, is at a less depth than five feet from the surface of the ground; or

Depth of grave.

(ii) builds, or digs, or causes to be built or dug, any grave in any burial-ground at a less distance than two feet from the margin of any other existing grave; or

Distance between graves.

(iii) without the sanction in writing of the Municipal Board, or an order in writing of a Magistrate, re-opens a grave already occupied; or

Re-opening graves.

(iv) brings, or conveys, or causes to be brought or conveyed, a corpse, or part thereof, to any burial or burning ground, and does not cause the burial or burning of the same to commence within six hours after its arrival at such burning ground; or

Burial and cremation.

(v) when burning, or causing to be burnt, a corpse or part of a corpse in any burning ground, permits the same or any part thereof to remain without being completely reduced to ashes; or

Cremation to be complete.

(vi) permits the cloths, or other articles connected with the burning of such corpse, to remain at or near such ground without being completely reduced to ashes; or

Cloth, &c., to be burned.

(vii) carries a corpse or part of a corpse through any street not decently covered; or

Corpses to be decently covered.

(viii) while carrying a corpse or part of a corpse within the Municipality, leaves the same in or near any street, for any purpose whatever; or

Leaving corpse on highway.

(ix) removes otherwise than in a closed receptacle any corpse or part of a corpse kept or used for the purpose of dissection;

Removal of corpse kept for dissection.

shall for each offence be liable to a fine not exceeding Rs. 25.

Penalty.

(*Section* 260 *of Bengal Municipal Act III of* 1884.)

265. The Municipal Board at a meeting may from time to time, out of the Municipal Fund, provide for the burial and burning of paupers free of charge, within the limits of the Municipality.

Municipal Board may provide for burial or burning of paupers free of charge.

16. Registration of Births and Deaths.

(*Section* 243 *of Madras Act IV of* 1884.)

266. The Municipal Board shall keep in their office a Register of all Births and Deaths in the Municipality, and for this purpose they may divide the Municipality into such Districts as they think fit, and shall appoint a person to be Registrar of Births and Deaths within the Municipality, or, in the case of the division of the Municipality into Districts, for every District if they shall appoint a person to be Registrar of Births and Deaths in such District.

Municipal Board to keep register of births and deaths and appoint Registrars.

981 (*Section* 244 *of Madras Act IV of* 1884.)

Registrars to live in their Districts.

267. (1) Every Registrar shall reside within the Municipality or District of which he is Registrar, and shall cause his name, with the addition of Registrar of Births and Deaths for the Municipality or District for which he is so appointed, written in English and in Kanarese, to be placed in some conspicuous place on or near the outer door of his dwelling-house.

List of Registrars and their residence to be published.

(2) The Municipal Board shall cause to be printed and published a list containing the name and place of abode of every such Registrar of Births and Deaths in the Municipality.

(*Section* 245 *of Madras Act IV of* 1884.)

Municipal Board to have Register Books prepared and paged.

268. The Municipal Board shall cause to be prepared and printed a sufficient number of Register Books for making entries of all births and deaths which take place in the Municipality according to such forms and instructions as may, from time to time, be prescribed by Government.

(*Section* 246 *of Madras Act IV of* 1884.)

Registrar to inform himself of and register every birth and death.

269. Every Registrar shall inform himself carefully of every birth and of every death which happens in the Municipality or his district after the coming into operation of this Regulation, and shall learn and register, as soon as conveniently may be after the event, without fee or reward, the particulars requried to be registered, according to the forms prescribed as aforesaid touching every such birth and death, as the case may be, which has not been already registered.

All such entries shall be made consecutively from the beginning to the end of the book.

(*Section* 185 *of the Calcutta City Municipal Act II of* 1888.)

Information of birth to be given.

270. The father or mother of every child born in the Municipality or, in the case of the death, illness, or absence, or inability of the father and mother, the occupier of the house in which such child is born shall, within eight days after the day of the birth, give information to the Registrar, according to the best of his or her knowledge and belief of the several particulars by this Regulation required to be known and registered touching the birth of such child.

(*Section* 186 *of the Calcutta City Municipal Act II of* 1888.)

Information of death to be given.

271. The nearest relative present at the death or in attendance during the last illness, of any person dying in the Municipality, or, in case of the death, illness, inability, absence or default of such relative every person present at the death, or in case of their default, the occupier of the house, or if the occupier be the person who shall have died, some person living in the house in which such death shall have happened, shall forthwith give information to the Registrar, according to the best of his knowledge and belief of the several particulars by this Regulation required to be known and registered touching the death of such person.

Provided that if any one person gives the required information all other persons are thereby released from the obligation imposed upon them by this section.

(*Section* 248 *of Madras Act IV of* 1884.)

Where persons die in hospital, Medical Officer in charge to send notice to Registrar.

272. (1) In the case of persons being born or dying in any hospital, it shall be the duty of the Medical Officer in charge forthwith to send a notice to the Registrar of the occurrence of any birth or death in the hospital under his charge.

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(2) Every person who conducts or performs the funeral ceremonies of any person who has died within the Municipality shall, whenever required, furnish to the Registrar such information as he possesses as to the said several particulars.

Persons performing funeral to give information.

(*Section* 249 *of Madras Act I of* 1884.)

273. (1) Every person who has given information contained in any Register of Births or Deaths under this Regulation shall sign in the Register his name, description and place of abode, and, if he cannot write, shall put his mark in the Register to his name, description and place of abode.

Person giving information to sign or mark the Register.

(2) The Registrar shall forthwith give, free of all charge, to the person who gives information of the birth of a child an extract under his hand from the Register relating to such birth.

Registrar to give extract.

(3) In the case of a person being born or dying in any hospital, the registration of the birth or death shall be deemed to be completed by the entry, in the Register, of the written notice received from the Medical Officer in charge of the said hospital, prescribed in Section 272 without the signature of the Medical Officer to the entry in such Register.

But, in case of persons born or dying in hospital, Register complete on entry of Medical Officer's notice.

(4) Any person may, at all reasonable times, on payment of a fee of annas 8 for each visit, search in the presence of the Registrar, any Register of Births and Deaths, and may require the Registrar to give him an extract under his hand from such Register relating to any birth or death registered therein. A fee of annas 8 shall be payable by such person in respect of each birth or death regarding which he requires an extract from the Register to be given.

Search of Birth and Death Registers.

CHAPTER V.

MISCELLANEOUS.

(*Section* 250 *of Madras Act IV of* 1884.)

274. (1) The Government may, from time to time, frame forms for any proceeding of a Municipal Board for which it considers that a form should be provided, and make rules not inconsistent with this Regulation—

Power of Government to frame forms and make rules.

(*a*) with respect to the appointment of Municipal members by election as to the following matters:—

(i) the qualifications of electors and of the candidates for appointment by election, and the removal and disqualification of Municipal members or candidates;

(ii) the division of the Municipality or of a part thereof into wards and the number of Municipal members proper for each ward;

(iii) the provision, if any, to be made for the special representation of any classes of the community;

(iv) the registration of electors;

(v) the nomination of candidates, the time of election and the mode of recording votes; and

(vi) any other matters regarding the system of representation and election which it may seem expedient to provide for—

(*b*) with respect to the appointment by election of Presidents or Vice-Presidents;

(*c*) as to the appointment, fining, suspension and dismissal of the servants of the Municipal Board;

(*d*) as to the pensions, gratuities, and compassionate allowances of such servants;

(*e*) as to the matters mentioned in Sections 129, 137 and 140;

(*f*) as to the grants-in-aid payable from the Municipal Fund for purposes of education and medical relief;

(*g*) as to the conditions on which property vested in the Municipal Board may be transferred by sale, mortgage, lease, exchange or otherwise;

(*h*) as to the intermediate office or offices, if any, through which correspondence between the Municipal Board and Government or officers of Government shall pass;

(*i*) as to the preparation of plans and estimates for works which are to be partly or wholly constructed at the expense of the Municipal Board and to their powers of sanction;

(*j*) as to the accounts to be kept by the Municipal Board, and as to the manner in which such accounts shall be audited and published;

(*k*) as to the estimates of receipts and expenditure, returns, statements and reports to be submitted by the Municipal Board;

(*l*) as to the mode in which the officers of Government shall advise and assist Municipal Boards in carrying out the purposes of this Regulation; and,

(*m*) generally, for the guidance of the Municipal Board and public officers in all matters connected with the carrying out of this Regulation.

(2) Such rules and forms framed by Government under this section shall, until they are cancelled or altered, have the force of law.

Rules, &c., until cancelled or altered to have the force of law.

(*Section* 251 *of Madras Act IV of* 1884.)

275. (1) The Municipal Board shall furnish, for the sanction of Government, a statement or estimate showing the probable receipts and the expenditure which it is proposed by the Municipal Board to incur during the next official year, and the items in respect of which it is proposed to incur such expenditure, and may also furnish a supplemental estimate providing for any modifications which they may deem it advisable to make in the distribution of the amount to be raised and expended in the official year then current for the purposes of this Regulation.

Annual estimate of expenditure to be submitted to Government.

(2) The Government may pass such order as it shall think fit upon the original or supplemental estimate so submitted to it, and such orders shall be binding upon the Municipal Board, and shall be carried out by them so far as the means at their disposal will permit.

Government to pass orders on estimate.

(*Section* 252 *of Madras Act IV of* 1884.)

276. The Municipal Board shall furnish an annual Report to Government of their Proceedings and statements in detail of all the works executed by them, and of all sums received and expended by them. Such Annual Report shall be published in the Official Gazette.

An Annual Report of Proceedings, &c., to be submitted.

(*Section* 253 *of Madras Act IV of* 1884.)

277. All schools and other institutions of an educational character, and all hospitals, dispensaries, vaccine stations, choultries and other institutions of a charitable character maintained by the Municipal Board, and all registers, books, ac-

Inspection of Schools, &c., by Government Officers.

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counts, and other documents relating thereto shall at all times be open to the inspection of such officers as Government may, from time to time, appoint in that behalf.

(*Section* 254 *of Madras Act IV of* 1 884.)

Appointment of Officers to superintend operations of Municipalities.

278. The Government may, from time to time, appoint such officers as may be required for the purpose of inspecting or superintending the operations of the Municipalities established under this Regulation, and also such secretaries, clerks, and other servants as may be necessary for the exercise of the powers vested in it and the duties imposed on it by this Regulation, and assign to them such salaries, if any, as it shall think reasonable; and the expense incurred by reason of such appointments shall be defrayed in ratable proportions out of the funds of the several Municipalities established under this Regulation.

(*Section* 255 *of Madras Act IV of* 1884.)

Municipal Board empowered to make Bye-laws.

279. (1) The Municipal Board at a Meeting may, from time to time, make Bye-laws, and cancel or alter the same—

(i) for regulating the time and mode of collecting the tolls and taxes mentioned in this Regulation;

(ii) for regulating the conduct of persons employed by them;

(iii) for the management of markets, slaughter-houses, offensive trades, and all matters connected with conservancy;

(iv) for securing cleanliness, safety, and order in the streets;

(v) for carrying out all the purposes of this Regulation; and

(vi) generally for securing the good government and well-being of the Municipality;

and may affix fines and penalties for the infringement of such bye-laws.

Infringement of Bye-law.

(2) No bye-law shall be repugnant to any law in force, and no fine for any one infringement of a Bye-law shall exceed Rs. 10 and in case of a continuing infringement, no fine shall exceed Rs. 5 for every day after notice from the Municipal Board of such infringement.

Confirmation of Bye-laws.

(3) No bye-law or cancelment or alteration of a bye-law shall have effect until the same shall have been approved and confirmed by Government.

Bye-laws until cancelled or altered to have the force of law.

(4) All bye-laws, when they shall have been duly confirmed, shall, until they are cancelled or altered, have the force of law.

Bye-laws existing to continue in force until abrogated.

(5) All bye-laws made and in force under the orders of Government at the coming into operation of this Regulation shall, so far as they are consistent with the provisions of this Regulation, be deemed to have been made under this Regulation.

(*Section* 256 *of Madras Act IV of* 1884.)

Publication of Rules or Bye-laws.

280. (1) The Government and Municipal Board shall, before making or altering any rules, or bye-laws under Section 274 or 279, publish in such manner as may, in its or their opinion be

sufficient for giving information to persons interested therein a draft of the proposed rules or bye-laws, and alterations together with a notice specifying a date at or after which such draft will be taken into consideration, and shall, before making the rules, or bye-laws or alterations, receive and consider any such objection or suggestion which may be made in respect of such draft by any person interested therein before the date so specified.

Rules not to have effect until after three months.

(2) Such rules or bye-laws and alterations thereof made by Government or the Municipal Board under Section 274 or 279, shall be published in the official Gazette in English and Kanarese and shall not come into operation until three months after they have been so published.

(*Section* 257 *of Madras Act IV of* 1884.)

Copies of Regulations, Rules and Bye-laws to be sold at the Municipal Office at cost price.

281. Complete copies, in English and in Kanarese,—

(i) of this Regulation, and

(ii) of all Rules framed by Government under Clauses (*a*) and (*b*) of Section 274, Sub-section (1), and in force for the time being, and

(iii) of all Bye-laws in force for the time being,

shall be kept at the Municipal Office and shall be sold to the public at cost price.

(*Section* 258 *of Madras Act IV of* 1884.)

Acts of Municipal Board, &c., not to be invalidated by informalities.

282. No act of a Municipal Board or of any Committee, or of any person acting as a President, Vice-President or Municipal member shall be deemed to be invalid by reason only of some defect in the establishment of the Municipality, or in the appointment of the President, Vice-President or Municipal member; or on the ground that they or any of them were disqualified for such office or by reason of such act having been done during any vacancy in the Municipal Board.

(*Section* 259 *of Madras Act IV of* 1884.)

Liability of members for loss, waste or misapplication.

283. Every Municipal member shall be liable for the loss, waste or misapplication of any money or other property belonging to the Municipal Board, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct, and a suit for compensation may be instituted against him by the Municipal Board or by Government.

(*Section* 260 *of Madras Act IV of* 1884.)

Penalty on Municipal member or servant being interested in contract made with Municipal Board.

284. If any Municipal member or servant of a Municipal Board is, otherwise than with the permission in writing of Government, directly or indirectly interested in any contract made with the Municipal Board, he shall be deemed to have committed an offence under Section 168 of the Indian Penal Code:

Provided that no person shall, by reason of being a shareholder in, or member of, any incorporated or registered company, be held to be interested in any contract entered into between such company and the Municipal Board.

(*Section* 261 *of Madras Act IV of* 1884.)

No action to be brought against the Board or their officers, until after one month's notice of cause of action.

285. No action shall be brought against any Municipal Board, or any of their officers or any person acting under their direction, for anything done or purporting to be done under this Regulation, until the expiration of one month next after notice in writing shall have been delivered or left at the office of the Municipal Board, or at the place of abode of such person, explicitly stating the cause of action and the name and place of

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abode of the intended plaintiff; and, unless such notice be proved, the Court shall find for the defendant; and every such action shall be commenced within six months next after the accrual of the cause of action, and not afterwards: and, if any person to whom any such notice of action is given shall, before action brought, tender sufficient amends to the plaintiff, such plaintiff shall not recover more than the amount so tendered, and shall pay all costs incurred by the defendant after such tender.

(*Section* 262 *of Madras Act IV of* 1884.)

Assessment, &c., not to be impeached if Regulation substantially complied with.

286. (1) No assessment, charge or demand of a tax made under the authority of this Regulation shall be impeached or affected by reason of any mistake in the name, residence, place of business or occupation of any person liable to pay the tax, or in the description of any property or thing liable to the tax, or of any mistake in the amount of assessment or tax, or by reason of any clerical error, provided the directions of this Regulation shall have been in substance and effect complied with, and no proceedings under this Regulation shall, for want of form, be quashed or set aside in any Court of Justice.

(2) No action shall be maintained in any Court to recover money paid in respect of any tax, toll or fee assessed or levied, or any payment collected, under this Regulation, or to recover money or damages by reason of any assessment made, tax, or toll or fee levied or any payment under this Regulation, provided that the provisions of this Regulation relating to the assessment and levy of taxes, tolls or fees, and to the collection of payments have been in substance and effect complied with.

Distress not unlawful for want of form.

(3) No distress or sale under this Regulation shall be deemed unlawful, nor shall any person making the same be deemed a trespasser on account of any error, defect or want of form in the bill, notice, schedule, form, summons, notice of demand, warrant of distress, inventory, or other proceeding relating thereto; nor shall such person be deemed a trespasser *ab initio* on account of any irregularity afterwards committed by him.

Special damage actionable.

Provided that every person aggrieved by such irregularity may recover satisfaction for any special damage sustained by him.

(*Section* 263 *of Madras Act IV of* 1884.)

Penalty for illegally doing any act without a license, &c.

287. (1) If under this Regulation the license or written permission of the President, Vice-President or the Municipal Board is necessary for the doing of any act in respect of any property, movable or immovable, public or private, and if such act is done—

(i) without such license or permission, or

(ii) when such license or permission shall have been granted, in a manner inconsistent with or contrary to the terms of such license or permission, and if no penalty has been specially provided in this Regulation for any act so done, the person doing such act shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50 for every such offence and to a further fine not exceeding Rs. 10 for every day during which the said offence is continued after such conviction.

(2) And the Municipal Board may, by notice, require any such person to alter, remove, or, as far as praticable, restore to its original state the whole or part of such property, within a time to be specified in such notice.

(*Section* 264 *of Madras Act IV of* 1884.)

288. (1) If any person to whom a notice shall have been given under the provisions of this Regulation, requiring him to execute any work, in respect of any

property, movable or immovable, public or private, or to provide anything, within a time specified in the notice, omits to comply with such notice, and if no penalty is specially provided by this Regulation for such omission, such person shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 20 for every such offence, and to a further fine not exceeding Rs. 10 for every day during which such work remains unexecuted or such thing unprovided after such conviction; and

Penalty for omission to comply with notice.

(2) the Municipal Board may in their discretion cause such work to be executed or such thing to be provided, and

Municipal Board may execute work.

(3) the expenses, incurred in the execution of any such work or the provision of any such thing, shall be paid by the person to whom the notice shall have been given.

Expenses by whom to be paid.

(4) The materials, found upon such property, movable or immovable, may be used by the Municipal Board in the execution of such work or the provision of such thing, or may be sold by them, and the sale proceeds may be applied towards the payment of the expenses.

Materials found on property may be used.

(*Section* 265 *of Madras Act IV of* 1884.)

289. (1) If the person to whom such notice shall have been given be the owner of the building or land, the Municipal Board may, by way of additional remedy, whether any action or proceeding has been brought or taken against any such owner or not, require the payment of all or any part of the expenses payable by the owner for the time being to be made by the person who then or at any time thereafter occupies the building or land under such owner.

Power to demand payment of expenses from the occupier.

(2) But no occupier of any building or land shall be liable to pay a larger amount in respect of expenses payable under this Regulation by the owner thereof than the amount of rent due by him for such building or land at the time of the demand made upon him, or which, at any time after such demand, becomes payable by him, unless he neglect, or refuse, upon application made to him for that purpose by the Municipal Board, truly to disclose the amount of rent payable, and the name and address of the person to whom such rent is payable.

Occupier not to be liable for more than the amount of rent due.

(*Section* 266 *of Madras Act IV of* 1884.)

290. Whenever default is made by the owner of any building or land in the execution of any work required by the Municipal Board to be executed, the occupier of any such building or land may cause such work to be executed; and the expenses thereof shall be paid to him by the owner, or the amount may be deducted by the occupier from the rent from time to time becoming due from him to such owner.

Occupier, in default of owner, may execute works, and deduct expenses from his rent.

(*Section* 267 *of Madras Act IV of* 1884.)

291. (1) When any license, sanction, permission or registration is granted under the provisions of this Regulation, a fee may be charged for such license, sanction, permission or registration.

Fees for certain licenses.

(2) The rates of the fees to be so charged shall be from time to time fixed by the Municipal Board at a meeting subject to the approval of Government.

Rate to be fixed at a meeting.

(*Section* 268 *of Madras Act IV of* 1884.) 988

Payments for unauthorized occupation of lands.

292. If any person, without the previous sanction of the Municipal Board, occupies any land belonging to such Municipal Board, he shall pay in respect of such occupation such sums as may be demanded from time to time by the said Municipal Board.

(*Section* 269 *of Madras Act IV of* 1884.)

Recovery of fees, &c.

293. All expenses incurred by the Municipal Board and payable to them, and all rents, fees, tolls and other payments due to them, under the provisions of this Regulation, or under any bye-law under this Regulation, for the recovery of which no special provision has been made in this Regulation, shall be recoverable by the Municipal Board, their renters, farmers, and other assigns in the same manner as if they were taxes due to the Municipal Board under this Regulation.

(*Section* 270 *of Madras Act IV of* 1884.)

Surplus sale-proceeds.

294. If any property, movable, or immovable is sold under the provisions of this Regulation, and if there is a surplus, after the sum due to the Municipal Board shall have been deducted from the sale-proceeds, such surplus shall, if the owner of the property sold claims the same within six months from the date of the sale, be paid to him by the Municipal Board, but if no such claim is preferred within such time, the said surplus shall be forfeited to the Municipal Board.

(*Section* 271 *of Madras Act IV of* 1884.)

Service of bills, notices, &c.

295. (1) Every bill, notice or form, regarding any valuation, measurement, assessment, tax, or any money due in respect of the same, or under this Regulation, shall if practicable be presented to, or served personally upon, the person to whom the same is addressed, or, if he cannot be found, may be left at his usual or last known place of abode or business with some adult member of his family, servant, or agent, or may be sent by registered letter, or may be put upon some conspicuous part of his usual or last known place of abode or business, and shall thereby be deemed to have been duly presented or served.

If place of abode be unknown, such notice shall be affixed on land, &c.

(2) If the place of abode or business of the owner of any building or land, in respect of which a tax is assessed or due, or in respect of which any work has to be executed, be unknown, or if the owner of any such building or land be not resident within the limits of the Municipality, every such bill, notice or form, shall be deemed to be duly presented or served, if delivered to any adult occupier or put upon some conspicuous part of the building or land in respect of which the tax is assessed or due, or in respect of which such work has to be executed.

Bill, &c, sent by post duly served.

(3) Any such bill, notice or form sent to any person by registered post shall be addressed to his usual or last known place of abode or business, and when so sent shall be held to have been duly served, unless and until the contrary be proved.

Period mentioned in notice to date from service of such notice.

(4) Whenever, in any bill, notice or form served under this Regulation, a period is fixed within which any tax or other sum is to be paid, or any work executed, or anything provided, such period shall be calculated from the date of such service.

(*Section* 272 *of Madras Act IV of* 1884.)

Owner to be proceeded against first, and in his absence the occupier.

296. (1) Whenever it is provided in this Regulation that any notice shall or may be served on, or any demand be made on, or any action be taken against, "the owner or occupier" of any building or land, such notice shall be served, or such demand made on, or action taken against, the owner in the first

instance, and shall be served on, or made on, or taken against, the occupier only when the owner cannot be found or is not resident within Municipal limits.

(2) If any rent, tax or sum leviable under this Regulation from the owner is recovered from the occupier, such occupier may reimburse himself by deducting the same from the rent payable by him to the owner.

If occupier pays, entitled to recover from owner.

(*Section* 273 *of Madras Act IV of* 1884.)

297. (1) If the occupier of any building or land prevent the owner thereo from carrying into effect, in respect of such building or land, any of the provisions of this Regulation, after notice of his intention so to do has been given by the owner to such occupier, the Municipal Board, upon proof thereof, may give an order in writing, requiring such occupier to permit the owner to execute all such works with respect to such building or land as may be necessary for carrying into effect the provisions of this Regulation.

Proceedings in case of occupier opposing execution of Regulation.

(2) If, after the expiration of eight days from the date of the service of such order, such occupier continue to refuse to permit such owner to execute such works, such occupier shall for every day during which he so continues to refuse, be liable to a fine not exceeding Rs. 50.

Penalty.

(3) Every such owner, during the continuance of such refusal, shall be discharged from any fine or penalty to which he might otherwise have become liable by reason of default in executing such works.

Owner absolved.

(*Section* 274 *of Madras Act IV of* 1884.)

298. (1) The Municipal Board may, with the consent of the occupier of any building or land, or after giving six hours' notice to such occupier, by themselves or their servants between sunrise and sunset, enter into and upon any building or land, either for the purpose of making any survey or inspection or for doing any other act necessary for carrying out the purpose of this Regulation, without being liable to any legal proceedings or molestation whatsoever on account of such entry or of anything done in any part of such building or land, in pursuance of this Regulation:

Power to enter upon lands for the purposes of Regulation.

(*From Section* 208 *of the Mysore Land Revenue Code.*)

[Provided that due regard shall be paid by the Municipal Board or their servants to the social and religious prejudices of the occupiers of the building or land entered into or upon by them.]

(2) If any woman, who, according to the customs of the country, does not appear in public, is in the actual occupation of any building or part thereof into which any person, duly authorized in that behalf, has to enter for the purposes of this Regulation, such person shall inform such woman that she is at liberty to withdraw, and shall, after allowing reasonable time for such woman to withdraw, and giving her every reasonable facility to withdraw, enter such building or part thereof, using at the same time every precaution, consistent with these provisions, to prevent when necessary, the clandestine removal of property.

Entry into zenana.

(*Section* 275 *of Madras Act IV of* 1884.)

299. (1) The Municipal Board or their servants may enter upon the land of any person adjoining to, or being within the distance of twenty yards of, any works authorized by this Regulation, for the purpose of depositing upon such land, any soil, gravel, sand, lime, brick, stone or other materials, or for any other

Power of Municipal Board to entry on lands adjacent to works.

purposes connected with the carrying on of such works, without making any previous payment, tender, or deposit.

Compensation for temporary occupation of land, or for injury thereto.

(2) The Municipal Board shall cause as little damage as may be in the exercise of the powers hereby granted to them, and shall make compensation for such temporary occupation of or temporary damage to, the said land to the owner and occupier thereof, and shall make compensation to the owner also for the permanent injury (if any) to such land.

Previous notice to owner or occupier.

(3) Before the Municipal Board make any such temporary use of land adjoining or lying near to any such work, they shall give seven days' notice of their intention to the owner and occupier of such land, and shall, if required by any such owner or occupier to do so, mark off by sufficient fences so much of the land as is required to be used as aforesaid from the other land adjoining thereto.

(*Section* 276 *of Madras Act IV of* 1884.)

Notice for setting apart public places.

300. Whenever the Municipal Board set apart any place, for any purpose authorized by this Regulation, or prohibit the doing of any act or thing in any place, they shall at once cause to be put up a notice in English and Kanarese at or near such place. Such notice shall specify the purpose for which such place shall have been set apart, or the act or thing prohibited.

(*Section* 277 *of Madras Act IV of* 1884.)

Penalty for obstructing persons employed by the Municipal Board in their duty.

301. (1) Whoever

(i) obstructs or molests the Municipal Board, or any person employed by them, or any person with whom they have contracted, under the provisions of this Regulation, in the performance of their or his duty, or obstructs any such person or any other person from doing anything which he is empowered or required to do by virtue of this Regulation, or

(ii) removes any mark set up for the purpose of indicating any level or direction incidental to the execution of any work authorized by this Regulation,

shall be liable to a fine not exceeding Rs. 50.

Penalty for removing or destroying notice.

(2) Whoever removes, destroys, defaces or otherwise obliterates any notice put up or exhibited by the Municipal Board, or under their orders, shall be liable to a fine not exceeding Rs. 50.

(*Section* 278 *of Madras Act IV of* 1884.)

Power to make compensation out of the Municipal Fund.

302. The Municipal Board at a meeting may make compensation, out of the Municipal Fund, to all persons sustaining any damage by reason of the exercise of any of the powers vested in the Municipal Board, or their servants under and by virtue of this Regulation.

(*Section* 279 *of Madras Act IV of* 1884.)

Acquisition of land under Act X of 1870.

303. Where any land, whether within or without the limits of a Municipality, is required for the purposes of this Regulation, the Government may, at the request of the Municipal Board, proceed to acquire it under the provisions of the Land Acquisition Act 1870, and on payment by the Municipal Board of the compensation awarded under that Act the land shall vest in the Municipal Board.

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(*Section* 280 *of Madras Act IV of* 1884.)

304. The Municipal Board may direct prosecutions for any public nuisance, and may order proceedings to be taken for the enforcement of any fine provided by this Regulation.

Municipal Board may direct prosecutions for nuisances, or for enforcing penalty.

(*Section* 281 *of Madras Act IV of* 1884.)

305. If through any act, neglect or default, whereby any person has become liable to any fine under this Regulation, or any damage to the property of the Municipal Board has been caused by such person, he shall also be liable to compensate the Municipal Board for such damage, and the Magistrate shall assess the amount of such compensation and award it accordingly.

Damage to property of Municipal Board to be made good in addition to penalty.

(*Section* 282 *of Madras Act IV of* 1884.

306. (1) Every Police officer shall give immediate information to the President, Vice-President or the servants of the Municipal Board of any offence committed contrary to the provisions of this Regulation, or the bye-laws made in pursuance thereof, and shall help them in giving effect to the provisions of this Regulation in such manner and at such times as may be necessary.

Police officers to report offences to Municipal Board.

(2) Any Police officer may arrest any person committing in his view any offence against any of the provisions of this Regulation, if the name and address of such person be unknown to him, and if such person decline to give his name and address, or if the Police officer shall have reason to doubt the accuracy of such name and address if given; and such person may be detained at the station-house until his name and address shall be correctly ascertained.

Power to Police to arrest persons committing offences in their view.

(3) Any Police officer, who omits or refuses to perform any duty imposed on him by this Regulation, shall be deemed to have committed an offence under Section , Regulation of 189 .

Penalty.

(*Section* 283 *of Madras Act IV of* 1884.)

307. If any person, who is required by the provisions of this Regulation or by any notice or other proceeding issued thereunder to furnish any information—

Penalty for omission to give information.

(i) omits to furnish the same, or

(ii) knowingly or negligently furnishes false information, such person shall be liable to a fine not exceeding Rs. 100.

(*Section* 284 *of Madras Act IV of* 1884.)

308. (1) Every person who,

(i) not being appointed or duly authorized to collect the taxes and tolls and other sums due to the Municipal Board under this Regulation, shall levy or demand any tax, toll or sum, or

Illegal collection of taxes and tolls.

(ii) shall unlawfully and extortionately demand or take any other or higher tax, toll or sum than the lawful tax, toll or sum, or

(iii) under color of this Regulation shall seize or sell any property, knowing such seizure and sale to be unlawful, or

(iv) in cases where he shall be entitled to recover from any person any portion of the tax paid by himself under this Regulation, shall demand or claim any higher portion than he is entitled to recover, or

(v) shall in any manner extort any money or any valuable thing from any person under color of this Regulation,

shall be liable to a fine not exceeding Rs. 500.

(*Section* 285 *of Madras Act IV of* 1884.)

Prosecution before Magistrate.

309. Every prosecution under this Regulation may be instituted before any Magistrate having jurisdiction over the offender.

(*Section* 286 *of Madras Act IV* 1884.)

Offender may be detained in custody, or compelled to give security, if fine, &c., be not forthwith paid.

310. (1) In case any fine, damage, penalty or costs imposed under or by virtue of this Regulation or of any bye-law made in pursuance thereof, shall not be forthwith paid, the Magistrate may order the offender to be apprehended and detained in safe custody until the return can be conveniently made to a warrant of distress, unless the offender shall give security to the satisfaction of the Magistrate for his appearance at such place and time as shall be appointed for the return of the warrant of distress.

If no sufficient distress can be had, or there be not sufficient property *whereupon* the fine, &c., can be levied, the offender may be imprisoned.

(2) If, upon the return of such warrant, it shall appear that no sufficient distress can be had whereon to levy such fine or sum of money and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of the Magistrate by the admission of the offender or otherwise that he has not sufficient property whereupon such fine or sum of money could be levied if a warrant of distress were issued, the Magistrate may, by warrant under his hand, commit the offender to prison, there to be simply imprisoned, according to the discretion of the Magistrate, for any term not exceeding one calendar month when the amount of such fine or sum of money shall not exceed Rs. 50, and for any term not exceeding two calendar months when the amount shall not exceed Rs. 100, and for any term not exceeding six calendar months in any other case; such commitment to be determinable in each of the cases aforesaid on payment of the amount.

How fines and penalties are to be applied.

(3) The Magistrate by whom any fine or penalty is imposed by virtue of this Regulation shall award the whole of such fine or penalty to the Municipal Board to be by them applied to the purposes of this Regulation.

(*Section* 287 *of Madras Act IV of* 1884.)

Prosecutions.

311. When an act or omission is punishable under the provisions of this Regulation and those of any other law, the Municipal Board may in their discretion prosecute the person guilty of such act or omission under this or such other law as they may deem fit.

(*Section* 287 *of Madras Act IV of* 1884.)

Delegation of powers by Government.

312. The Government may from time to time by notification authorize any person to exercise any one or more of the powers vested in it by this Regulation, save and except those mentioned in Chapter I, and may at any time in like manner withdraw such authority.

(*Section* 289 *of Madras Act IV of* 1884.)

Notification to be published in official Gazette.

313. Every notification under this Regulation shall be published in the official Gazette both in English and Kanarese.

(*Schedule A of Madras Act IV of* 1884.)

SCHEDULE A (SECTION 47.)

TAX ON ARTS, PROFESSIONS, TRADES AND CALLINGS.

Class I.

	Yearly.
Every Joint Stock Company trading with a paid-up capital of one lakh of rupees or upwards	Rs. 100

Class II.

Every Joint Stock Company trading with a paid-up capital of less than one lakh of rupees .. .. Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 1,500 a month or upwards .. .. Every Abkari Renter, Merchant, Banker, Sahukar, Contractor, Boat Owner, Wholesale Trader or Commission Agent or any Agent, Gumasta or Servant in charge of the business of such persons when the principals are non-resident whose annual income amounts to Rs. 20,000 or upwards .. .. Every Practising Barrister whose annual income amounts to Rs. 20,000 or upwards .. .. Every Owner of a Press for Cotton, or of a Coffee-cleaning Establishment or Saw Mills whose annual income amounts to Rs. 2,000 or upwards.. Every Hotel-keeper, Boarding-house keeper, Shop-keeper, Manufacturer, Artisan or Trader, the gross rental of whose shop or place of business is estimated at Rs. 1,200 per annum or upwards	„ 50

Class III.

Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 800 per month and is less than Rs. 1,500 per month .. .. Every Merchant, Banker, Sahukar, Contractor, Boat Owner, Wholesale Trader or Commission Agent, or any Agent, Gumasta or Servant in charge of the business of such persons when the principals are non-resident, not assessed under Class II .. .. .. Every Practising Barrister not assessed under Class II, and every Attorney-at-Law, Proctor, Notary Public, or Pleader practising in any Civil and Sessions Court, Subordinate Judge's Court .. .. Every Practising Surgeon, Physician, Dentist, Architect or Civil Engineer. Every Owner or Farmer of a Bazaar .. .. .. Every Owner of a Press for Cotton, or of a Coffee-cleaning Establishment or of Saw Mills, not assessed under Class II; and every Owner of a Printing Press, or of a Press for Oil, Jute, Hides or other materials; and every Auctioneer .. .. Every Hotel-keeper, Boarding-house keeper, Shop-keeper, Manufacturer, Artisan or Trader, the gross rental of whose shop or place of business is estimated at Rs. 500 a year or upwards..	„ 25

Class IV.

Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 400 a month and is less than Rs. 800 a month .. .. .. Every Practising Licentiate of Medicine, Apothecary, and Veterinary Surgeon .. .. Every Keeper of a Spirit Shop, Punch House, or Billiard Room, or Wholesale Produce Depôt .. .. Every Hotel-keeper, Boarding-house Keeper, or Shop-keeper, or Retail Dealer, Manufacturer, Artisan or Trader, the gross rental of whose shop or place of business is estimated at more than Rs. 100 but less than Rs. 500 a year .. .. Every Pleader and Practising Vakil not included in Class III .. Every Broker or other person employed in the transfer or purchase of Imports or Exports, or in the sale of Government Securities, Shares and Bills of Exchange, or procuring freight	„ 12

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Class V.

	Yearly.
Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 200 a month and is less than Rs. 400 a month	
Every Hotel-keeper, Boarding and Lodging house-keeper, Shop-keeper, Retail Dealer, Manufacturer, Artisan or Trader, not included in Class III or Class IV	Rs. 6
Every Pawnbroker and every Trader, Artisan, or merchant having a shop or place of business, the gross rental of which is estimated at Rs. 50 or more but not Rs. 100 or less a year..	

Class VI.

Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 100 per month and is less than Rs. 200 per month .. .	
Every Keeper of a permanent stall at a Public market	
Every Native Doctor not included in any other class	„ 3
Every Pawnbroker and every Trader, Artisan or Merchant having a shop or place of business, the gross rental of which is estimated at Rs. 25 or more but not Rs. 100 or less	

Class VII.

Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 50 a month and is less than Rs. 100 a month	„ 2

Class VIII.

Every Retail Dealer, Manufacturer, Artisan, Trader, or Keeper of a shop or stall not included in any other class, or Money-changer ..	
Every Pedlar, Hawker	„ 1
Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 30 a month and is less than Rs. 50 a month	

(*Schedule B of Madras Act IV. of* 1884.)

SCHEDULE B (Section 47.)

Vehicles with Springs, Palanquins, and Animals liable to taxation, with the Rates of Taxation.

	Half-yearly. Rs.	A.	P.
For every four-wheeled vehicle with springs drawn by two or more horses	9	0	0
For every four-wheeled vehicle with springs drawn by a horse, bull or bullock, or by two or more horses under thirteen hands, bulls or bullocks	4	8	0
For every two-wheeled vehicle with springs drawn by one or more horses, bulls or bullocks	3	0	0
Every other vehicle with springs and every palanquin .. .	3	0	0
For every elephant	12	0	0
For every camel	6	0	0
For every horse over thirteen hands	4	8	0
For every horse of or under thirteen hands	1	8	0
For every horse of or under eleven hands	0	8	0
For every bullock or bull	0	8	0
For every male buffalo	0	8	0
For every ass	0	4	0
For every dog	0	2	0

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(*Schedule D of Madras Act IV of* 1884.)

SCHEDULE C (Section 47.)

Maximum Rates of Tolls payable on entering the Municipal Limits.

	Rs.	A.	P.
On every four-wheeled vehicle with springs	0	8	0
On every jatka, hackery or cart drawn by men, buffaloes, bullocks, horses or asses, laden	0	4	0
On every jatka, hackery or cart drawn by men, buffaloes, bullocks, horses or asses, not laden	0	2	0
On every other vehicle with springs and every palanquin	0	4	0
On every horse under thirteen hands, buffalo, bull, bullock, cow, or ass, laden or ridden	0	1	0
On every horse not under thirteen hands, laden or ridden	0	2	0
On every horse not laden or ridden	0	1	0
On every elephant	1	0	0
On every camel	0	4	0

Explanation.—"*Laden.*" An animal is not said to be laden when it is merely accoutred for the purpose of being laden or ridden.

(*Schedule C of Madras Act IV of* 1884.)

SCHEDULE E (Section 83.)

To the Chairman of the Municipal Council of—

Form of Application for License for Vehicles and Animals.

I hereby certify that I have in my possession the Animals and Vehicles set forth in the list given hereunder and no others liable to tax under Schedule B of Regulation of 18 for the half-year ending the day of 18 .

No. (*Description of Vehicles and Animals.*)

	Tax for the Half-year. Rs.	A.	P.
Four-wheeled vehicle with springs drawn by two or more horses ..	9	0	0
Four-wheeled vehicle with springs drawn by a horse, bull or bullock, or by two or more horses under thirteen hands, bulls or bullocks ..	4	8	0
Two-wheeled vehicle with springs drawn by one or more horses, bulls or bullocks	3	0	0
Other vehicle with springs or palanquin	3	0	0
Elephant	12	0	0
Camel	6	0	0
Horse over thirteen hands	4	8	0
Horse of or under thirteen hands	1	8	0
Horse of or under eleven hands	0	8	0
Bullock or bull	0	8	0
Male buffalo	0	8	0
Ass	0	4	0
Dog	0	2	0

Date Signature.

Residence.

(*Schedule E of Madras Act IV of* 1884.)

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SCHEDULE F (Section 120.)

Distress Warrant.

To

(*Here insert the name of the officer charged with the execution of the Warrant.*)

Whereas , of has not paid or shown sufficient cause for the non-payment of the sum of rupees due for the taxes mentioned in the margin for the ,18 , although the said sum has been duly demanded in writing from the said and seven days have elapsed since the service of the notice of demand: This is to command you to distrain the goods and chattels of the said (*or, as the case may be, any goods and chattels found on the premises referred to*) to the amount of the said sum of rupees, together with for notice fee and for warrant fee, making together , and such further sum as may be sufficient to defray the charges of taking, keeping and selling such distress; and if within seven days next after such distress, the said sum shall not be paid, together with such further sum as may be sufficient to defray the charges of taking and keeping such distress, to sell the said goods and chattels; and having paid and deducted out of the proceeds of the sale the said sum of rupees and the charges of taking, keeping, and selling such distress, to return the surplus, if any, on demand to the person whom you shall find in possession of the said goods and chattels. If sufficient distress cannot be found of the goods and chattels of the said you are to certify the same to me together with this Warrant.

(L. S.)

Date

(Signature or Stamp of the Chairman of the Municipal Council.)

(*Schedule F of Madras Act IV of* 1884.)

SCHEDULE G (Section 121.)

Form of Inentory and Notice.

(*State Particulars of goods seized.*)

Take notice that I have this day seized the goods and chattels specified in the above inventory for the sum of rupees due for the taxes mentioned in the margin for the 18 ; and that, unless you pay into the office of the Municipal Board of the amount due, together with the cost of this distress, within seven days from the day of the date of this notice, the goods and chattels will be sold on the day of 18 , at the Municipal Office or at such other place as the Chairman may direct.

(Signature of the officer executing the Warrant of Distress.)

Date.

Statement of Objects and Reasons.

The "Mysore Municipalities Regulation" has been drafted on the lines of the Madras District Municipalities Act (No. IV of 1884.) At present only the Bangalore and Mysore Municipalities are being worked under a set of Regulations applicable to them. The other Municipalities in the several Districts and Taluks of the Province have no regulations to guide them and the present Bill has been prepared by a Committee of Officers * appointed by Government in their Proceedings No. C. 156—60, dated 15th July 1891, so as to extend the enactment to the whole of the Territories of Mysore.

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P. Chentsal Rao, Esq., C. I. E.
P. N. Krishna Murti, Esq.
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C. Meenakshaiya, Esq.

I. The following are the new provisions introduced into the Regulation :—

Sections 2 and 8, the last portion of section 18, sections 29 and 38, clauses (2) and (3) of section 44, clauses (vii) and (viii) of section 47, sections 48, 49, 76, 77, 78, 99, 100, 101 to 110, 111, 112, 116, 117, 135, 136, 147, 198, clause (2) of section 225, sections 235, 246, 252, 263, 265, 270, 271, the proviso of clause (1) of section 298 and Schedule D.

Section 2 relates to the introduction of the Regulation.

Section 8 confers the powers of President and Vice-President on the Chief Revenue Officers.

The last portion of Section 18 relates to the filling up of casual vacancies in the Municipal Board.

Section 29 relates to the language in which proceedings and discussions are to be conducted in the Municipal Board.

Section 38. Provisions similar to those made in this section do not exist in the Madras Act. This section empowers Government to supersede the Municipal Board in case of incompetency or persistent default or excess or abuse of powers. A similar provision exists in the Central Provinces Municipal Act, section 128, and the North-West Provinces Municipal Act, section 63.

Clauses (2) *and* (3) *of Section* 44. The original section of the Madras Act together with these additions fixes the limits up to which contracts may be entered into by the Municipal Members, Municipal Vice-President, the President and the Municipal Board respectively.

Clauses (*vii*) *and* (*viii*) *of Section* 47 relate to two additional heads under which taxes may be collected by the Municipality, *viz.*, town duties and lighting-rates.

Section 48 prohibits the levy of certain Municipal taxes in the Municipalities in which Mohatarfa is levied.

Section 49 enables the Municipal Board to levy Mohatarfa and similar Provincial taxes on behalf of Government.

Section 76 empowers Municipal Boards to lay down pipes for water-supply.

Section 77 requires the Board to declare by Notification in the official Gazette that the supply is complete.

Section 78 provides for the levy of water-tax and for the exemption of any portion of a Municipality from such tax if considered necessary. In section 47, clause (iii) the maximum water-rate is fixed at 10 per cent on the annual value of lands and buildings, though it may not be necessary to adopt such a high rate.

Sections 99 to 110 relate to the levy of Octroi duties.

Section 111 relates to the power of the Board to levy lighting rates and exempt any portion of a Municipality from those rates.

Section 112 provides for appeals generally against taxes fixed by the President or Vice President being heard by the Municipal Board.

Section 116 gives a power of appeal over the decision of the Municipal Board to the District Judge or Sub-Division Munsiff.

Section 117 empowers the Judge or Munsiff to state a case for the decision of the Chief Court.

Section 135 relates to the constitution of the School Fund.

Section 136 relates to the appointment of Select Committees for the management of Municipal Schools.

Section 147 relates to the establishment of institutions for treatment of patients according to native methods.

Section 198 relates to the removal of roofs, walls and verandahs of inflammable materials, erected before the coming into operation of this Regulation.

Clause (2) *of Section* 225 relates to the granting of licenses to private people in case of their opening public latrines and urinals.

Section 235 relates to the power of Municipal Boards to provide for private scavengering.

Section 246 relates to the power of Municipal Boards to require the removal of drains, latrines, &c., existing within 50 feet of a spring or other source wherefrom water may be obtained for public use.

Section 252 relates to the power of Municipal Boards to offer rewards for the destruction of noxious animals.

Section 263 relates to the removal of corpses by routes that may be prescribed by the Municipality to burial and burning grounds.

Section 265 gives power to the Municipal Board to provide for burial of paupers free of charge.

Sections 270 *and* 271 relate to information being given to the Municipality about the occurrence of births and deaths.

Proviso to Clause (1) *of Section* 298 requires the servants of Municipal Boards who may enter any building or land for the purposes of this Regulation to pay due regard to the social and religious prejudices of the occupiers of the land or building entered upon or into by them.

Schedule D relates to the articles on which and the rates at which Octroi is leviable.

II. The following sections of the Madras Act have been omitted :—

Section 2 relates only to the repeal of the Towns Improvement Act.

Section 5 relating to the introduction of the Madras Act has been omitted as section 2 of the Draft provides for the introduction of the Regulation.

Section 7 relates to references in prior Madras Acts.

Section 9, providing for the Revenue Officer in charge of a Sub-Division being *Ex-Officio* Municipal Commissioner has been omitted as provision for it has been made in Section 8 of the Draft.

Sub-Section (3) *of Section* 13, requiring Government to declare whether the President shall be appointed by itself or by election has been omitted, as the provision has been made in the proviso of section 8 of the Draft.

Section 14, which declares that the Governor-in-Council shall appoint Chairmen or authorize election, is omitted as these provisions have been made in Section 8 of the Draft.

Section 60 of the Madras Act has been omitted, because section 61 of the Draft extends the period required to create liability from 60 to 90 days and because a man is not likely to carry on his business in two places for exactly 90 days at each place.

Section 87, requiring register of carts, and other vehicles to be open to inspection, has been omitted as unnecessary.

Section 97, which provides for appeals generally against the decisions and other Proceedings of the Chairman has been omitted and in its place Section 112, following the wording of the Bombay Act has been enacted.

Section 101, which declares the adjudication of an appeal by the Municipal Board to be final, has been omitted as separate provisions as to appeals have been made in Sections 116 and 117 of the Draft.

Section 108 (ii) which declares that the fees on distraints shall not include the cost of maintaining any live-stock distrained, has been considered unnecessary and consequently omitted

Section 122 (2), which requires the proceeds of all fees levied in Municipal Schools to be spent for the provision of instruction, has been omitted as Section 135 provides for this among other matters.

Section 165, which empowers Municipal Boards to require buildings, projecting beyond the line of streets to be set back, has been omitted as unnecessary.

Section 167 (2) which enables Municipal Boards to require owners and occupiers of buildings to alter doors, &c., opening outwards, has been omitted as needless.

Section 206 (2) which requires that latrines kept for public use within a Municipality should be licensed by the Municipal Board, has been omitted.

Section 242 requiring that all grave-diggers and other attendants at a burial or burning ground should be licensed, has been omitted as unnecessary.

Section 247 providing for information as to births and deaths to be given has been omitted, and the wording of Sections 185 and 186 of the Calcutta City Municipal Act has been preferred.